

a State Depository shall continue to act as such until March first succeeding the next biennial inauguration of the State Treasurer after its designation, and until the undertaking of its successor has been accepted by the proper authority; provided, however, that in case any such institution shall fail and refuse to qualify as such depository within thirty days next after its bid for State funds has been accepted, in the manner provided for in this chapter, or, in case it shall fail and refuse to comply with any of the conditions of this chapter, or fail to discharge any of the duties thereunder, it shall be considered a just cause for forfeiting its rights to act as said depository; and, in such case, the proper authorities shall be authorized to withdraw all State funds from such institution at any time after ten days' notice of such intention.

Article 2435. It shall be the duty of the State Treasurer to keep the State funds in the banks or banking institutions paying the highest rate of interest, and to maintain, as nearly as possible, a fair and equal balance of moneys on hand in all State Depositories paying the same rate of interest in proportion to the amount each is entitled to receive, by drawing warrants alternatively thereon or by apportioning the warrants so drawn. The State Depository Board is hereby authorized and empowered whenever there may be excess funds in the State Treasury for which there is no immediate use, to subscribe for such amount of United States Treasury Certificates of Indebtedness as their judgment may dictate, and the interest earned thereon shall be carried into the Treasury to the credit of the general revenue fund.

Article 2436. All State Depositories shall collect, without cost to the State, all checks, drafts and demands for money, and on demand of the State Treasurer shall issue to him or his order, free of charge, a draft or exchange on any bank in this State, designated by the United States or State authorities as a "Reserve Bank," which draft may be in any sum stated by the State Treasurer not exceeding the amount of the State deposit in said depository, provided that the State Treasurer shall give to such depository ten days notice of his intention to draw on the funds therein before drawing more than one-fifth of the amount said

depository is entitled to keep, but this provision shall not apply to deposits made during the preceding thirty days.

Article 2437. It shall hereafter be and is hereby made the duty of every person, whether public official or not who comes into the possession of any funds belonging to the State, to deposit the same daily in the State Treasury, or the State Depository designated by the State Treasurer, to furnish to the State Treasurer a statement showing the source from which such funds were derived, and if he fails to make such deposit he shall forfeit to the State five per cent per month as liquidated damages for such failure, and shall be subject to all other penalties now prescribed by law.

Sec. 2. That Articles 2437, 2438 and 2439 of the Revised Statutes of 1911, and all laws or parts of laws in conflict herewith, are hereby repealed.

Sec. 3. The fact that the depository laws of the State of Texas are inadequate to meet present conditions creates an emergency and imperative public necessity calling for the suspension of the constitutional rule requiring bills to be read on three several days, and said rule should be and the same is hereby suspended, and this Act shall take effect from and after its passage.

#### TWENTY-THIRD DAY.

Senate Chamber,  
Austin, Texas,  
Monday, March 25, 1918.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by President Pro Tem. Decherd.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Gibson.
Bailey.	Hall.
Bee.	Henderson.
Buchanan of Bell.	Hopkins.
Buchanan of Scurry.	Johnson of Hall.
Caldwell.	Johnston of Harris.
Clark.	Lattimore.
Collins.	McNealus.
Dean.	Page.
Decherd.	Parr.
Faust.	Robbins.
Floyd.	Smith.

Strickland. Westbrook.  
Suiter.

Absent.

Woodward.

Absent—Excused.

Dayton. McCollum.  
Hudspeth.

Prayer by the Chaplain.

Pending the reading of the Journal of Saturday, the same was dispensed with on motion of Senator Alderdice.

#### Petitions and Memorials.

There were none today.

#### Committee Reports.

See Appendix.

#### Messages from the House.

Hall of the House of Representatives,  
Austin, Texas, March 25, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

H. B. No. 99, A bill to be entitled "An Act making appropriations to pay miscellaneous claims against the State, authorizing the payment of said miscellaneous items on the taking effect of this act, making additional appropriations for the support of the State government for the fiscal year ending August 31, 1918, and August 31, 1919, and declaring an emergency."

Respectfully,

BOB BARKER,

Chief Clerk House of Representatives

Hall of the House of Representatives,  
Austin, Texas, March 25, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 60, A bill to be entitled "An Act to amend Article 1063, Title 15, Chapter 8, Revised Code of the State of Texas, 1911, defining rape, and declaring an emergency," with amendments.

H. B. No. 63, A bill to be entitled "An Act providing that all applications for registrations and license of motor vehicles, motorcycles, manufactures, dealers and chauffeurs shall hereafter be filed with the collector of taxes for the county of the residence of the applicant and that all license fees be paid to such tax collector; providing for compensation to tax collectors; and repealing Article 3898, Revised Statutes and amendments thereto, etc., and declaring an emergency."

S. B. No. 85, A bill to be entitled "An Act to amend Article 6552, Title 115, Chapter 10 of the Revised Civil Statutes of 1911, providing that trains shall be regulated and notice shall be given of the time of trains, their places of stopping for freight and passengers; providing further that no railroad company, manager or receiver shall cease to operate trains on any railroad, and if they have so ceased to operate shall resume operation; providing further that the Railroad Commission of the State of Texas shall enforce the regulations hereof, and shall report to the Attorney General violations hereof, who shall file suit to enforce the same, and that this act shall be cumulative of all laws now in effect on this subject, and declaring an emergency."

H. C. R. No. 12, inviting Governor W. P. Hobby, to address the Legislature.

Respectfully,

BOB BARKER,

Chief Clerk House of Representatives

#### Bills Read and Referred.

The Chair, President Pro Tem. Decherd, had referred, after their captions had been read, the following House bills:

H. B. No. 63, referred to the Committee on State Affairs.

H. B. No. 99, referred to the Committee on Public, Debts, Claims and Accounts.

#### Senate Concurrent Resolution No. 11.

Whereas, The reports of the various subcommittees that investigated the different departments and institutions of the State contain the complete findings of said committees embracing valuable information con-

cerning the conduct and operation of such departments and institutions, together with a financial summary or audit of receipt and disbursements, giving reasons for the recommendations contained in the brief report of the central executive committee, and

Whereas, This complete report of the sub-committees has not been printed and is not easily accessible to the members of this Legislature and the public generally, and

Whereas, It is estimated by the State Expert Printer that 500 copies can be printed for \$300, and 1000 copies can be printed for \$375, and

Whereas, It is important that the members of this Legislature and the Thirty-sixth Legislature be furnished a copy of this report, in order that they may better understand the true conditions that prevail in the management of the State's financial affairs, and thereby be better prepared to enact the proper legislation to cut out the defects, irregularities and extravagances existing in the State Government and place this State on a sound and economical basis; therefore, be it

Resolved, by the House of Representatives, the Senate concurring, that 1000 copies of the reports of the sub-committees of the State Investigating Committees, excluding the testimony, but including the financial audit, be printed under the supervision of Mr. W. V. Howerton, Secretary of the Senate Investigating Committee, the cost of printing to be paid for out of the contingent fund of the House and Senate, and that one copy be furnished each member of the Senate and House of the Thirty-fifth Legislature, and one copy furnished each new member of the Senate and House of the Thirty-sixth Legislature and that the remaining copies be placed with the Secretary of State, and sold at a price to be fixed by the State Expert Printer.

Westbrook, Buchanan of Bell, McNealus, Suiter, Smith, Robbins, Dean, Johnston, Gibson, Page, Lattimore, Strickland, Johnson, Bailey, Buchanan of Scurry, Alderdice, Floyd, Hopkins, Clark, Collins.

The resolution was read and adopted.

Morning call concluded.

#### House Concurrent Resolution No. 12.

The Chair laid before the Senate: H. C. R. No. 12, Extending to Governor W. P. Hobby an invitation to address a joint session of the Legislature.

The resolution was read and adopted.

#### Special Committee Appointed.

The Chair named as members of the Special Committee to convey the invitation to the Governor, on the part of the Senate: Senators Bee and Collins.

#### Bills Signed.

The Chair, President Pro Tem. Decherd, gave notice of signing and did sign, in the presence of the Senate, after their captions had been read, the following bills:

H. B. No. 101, A bill to be entitled "An Act to amend Article 7828 of the Revised Civil Statutes of Texas, 1911, providing the Governor shall appoint nine persons as public weighers in every city which receives annually 100,000 bales of cotton."

H. B. No. 149, A bill to be entitled "An Act to authorize persons, associations of persons, corporations and districts to conserve the fresh waters of streams for irrigation against pollution by salt sea tides."

H. B. No. 170, A bill to be entitled "An Act to amend Section 1 of House Bill No. 95, Chapter 38, pages 392, 393, 394 and 395 of the published laws enacted by the Thirty-fifth Legislature at its First Called Session, creating the Milano Independent School District, revising the metes and bounds of said district, excluding certain territory therefrom and declaring an emergency."

H. B. No. 93, A bill to be entitled "An Act abolishing the office of Commissioner of Pensions, conferring all powers heretofore exercised by the Commissioner of Pensions under any existing laws of this State, upon the Comptroller of Public Accounts and annulling and repealing all appropriations for the Pensions Department for the years 1918 and 1919, save and except the salary of the chief clerk of said department, in the sum of \$1,500 per annum, which said appropriation shall be available for the use of the

Comptroller of Public Accounts in the administration of the pension laws of this State, repealing all laws in conflict herewith, and declaring an emergency."

H. B. No. 115, A bill to be entitled "An Act to amend Sections 2 and 8 of Chapter 181, Acts of the Regular Session of the Thirty-fifth Legislature, as amended by Chapter 6, Acts of the Third Called Session of the Thirty-fifth Legislature, by adding thereto Section 2b, providing for standard 'grades and packs' of other fruits and vegetables; prohibiting common carriers from receiving fruits and vegetables for shipment or transporting the same in violation of the provisions of this Act; prescribing penalties for violation of this law and declaring an emergency."

H. B. No. 140, A bill to be entitled "An Act requiring the heads of the departments located in the Capitol and the State Land Office building in the city of Austin to file with the Superintendent of Public Buildings and Grounds a complete inventory of all furniture, fixtures, machinery, machines, typewriters and other office utilities, except books and stationery; fixing the time when such inventories must be filed; making the heads of the departments responsible for the property not accounted for and lost by reason of carelessness and negligence of the officer; making it the duty of the Superintendent of Public Buildings and Grounds to check up such inventories and make demands for the restoration or payment of all property not lawfully accounted for; declaring that departmental heads shall neither purchase nor sell any of the personal property enumerated in this Act, but when no longer of use shall be delivered to the Superintendent of Public Buildings and Grounds for disposition; making it the duty of the Superintendent of Public Buildings and Grounds to furnish the various departments with all furniture, fixtures, office necessities and utilities heretofore named, except stationery and books; regulating the manner of purchases for such purpose, but declaring that all purchases made prior to August 31, 1918, shall be made as now provided in appropriation bills, and declaring an emergency."

H. C. R. No. 10, authorizing the Board of Trustees of the State Juve-

nile Training School to lease all necessary agricultural lands upon such terms and for such time as may be expedient.

H. B. N. 94, A bill to be entitled "An Act for the protection of the health, safety and comfort of the employes in factories, mills, workshops, mercantile establishments, laundries, or other establishments where women are employed, providing for proper temperature and ventilation for the protection of the health of the employes, requiring the removal of gas, effluvia, or odors from places where employes are required to work and means to allay dust injurious to the health of persons employed, prohibiting decomposed or putrescent matter or refuse of any kind to be allowed to remain in or around such place of employment, providing for cleaning, sweeping and dusting outside of working hours, requiring doors used by employes as entrances or exits to open outward, prescribing the number of water closets, earth closets or privies to be supplied and requiring separate closets for males and females, requiring such closets to be kept clean and effectively disinfected and ventilated, authorizing the Commissioner of Labor Statistics or any of his deputies or inspectors to enter any factory, mill, workshop, mercantile establishment, laundry or other establishment for making inspection and enforcing the provisions of the Act, authorizing the said Commissioner, his deputies or inspectors to issue an order for the correction of unsanitary or immoral conditions or neglect to remove fumes and gases injurious to employes where females are employed; in case of failure or refusal on the part of owner, superintendent, manager or other person in control or management of such establishment, giving the Commissioner of Labor Statistics, his deputies or inspectors power to close such establishment or any part of it until such time as said orders are complied with, providing how such powers may be exercised and providing a method of testing the validity, etc., of such orders, fixing penalties for violation of provisions of the Act, and declaring an emergency."



**House Bill No. 109, Set as a Special Order.**

By unanimous consent and on request of Senator Westbrook, House Bill No. 109 was set as a special order for 2 o'clock p. m. today.

**House Concurrent Resolution No. 11.**

The Chair laid before the Senate on second reading:

H. C. R. No. 11, Providing for sine die adjournment of the Fourth Called Session of the Thirty-fifth Legislature on Wednesday, March 27, at 12 o'clock noon.

On motion of Senator Dean, the resolution was laid on the table subject to call.

**Senate Bill No. 60—House Amendments Concurred In.**

Senator Johnson of Hall called up for consideration of House amendments to:

S. B. No. 60, A bill to be entitled "An Act to amend Article 1063, Title 15, Chapter 8, Revised Code of the State of Texas, 1911, defining rape, and declaring an emergency."

The following House amendments were laid before the Senate:

Amend Senate Bill No. 60, by striking out the word "seventeen" wherever it occurs in the bill and the caption, and insert in lieu thereof "eighteen years."

Amend Senate Bill No. 60 by adding to Section 1, the following: "Provided that if the woman is 15 years of age, or over, the defendant may show in consent cases she was not of previous chaste character as a defense."

On motion of Senator Johnson of Hall, the amendments were concurred in by the Senate.

**House Bill No. 173.**

The Chair laid before the Senate on third reading:

H. B. No. 173, A bill to be entitled "An Act changing the boundaries of Abernathy Independent School District, situated in Hale and Lubbock Counties, Texas, etc., and declaring an emergency."

The bill was laid before the Senate, read third time and, on mo-

tion of Senator Johnson of Hall, was passed finally.

**House Bill No. 174.**

The Chair laid before the Senate on third reading:

H. B. No. 174, A bill to be entitled "An Act to establish Common School District No. 15 in Lubbock County, Texas out of and so as to include certain lands heretofore in Slaton Independent School District and Common School Districts Nos. 11 and 20 of said county, etc., and declaring an emergency."

The bill was laid before the Senate, read third time and, on motion of Senator Johnson of Hall, was passed finally.

**House Bill No. 175.**

The Chair laid before the Senate on third reading:

H. B. No. 175, A bill to be entitled "An Act readjusting the common districts and county line common school districts in Lubbock County, Texas, against which outstanding bond issues are now in force, changing boundary lines of said districts, etc., and declaring an emergency."

The bill was laid before the Senate, read third time and, on motion of Senator Johnson of Hall, was passed finally.

**House Bill No. 176.**

The Chair laid before the Senate on third reading:

H. B. No. 176, A bill to be entitled "An Act changing the boundaries of Lubbock Independent School District and Canyon Common School District No. 11 and New Hope Common School District No. 20 in Lubbock County, Texas, transferring to Canyon Common School District No. 11 a portion of the territory now embraced in Lubbock Independent School District, and providing the Canyon Common School District No. 11 shall assume the portion of the bonded indebtedness of Lubbock Independent School District, etc., and declaring an emergency."

The bill was laid before the Senate, read third time and, on motion of Senator Johnson of Hall, was passed finally.

**House Bill No. 177.**

The Chair laid before the Senate on third reading:

H. B. No. 177, A bill to be entitled "An Act changing the boundaries of Common School Districts Nos. 3 and 14 and Slaton Independent School District in Lubbock County, Texas, and transferring a portion of the territory now embraced in Union Common School District No. 3, to Slaton Independent School District, etc., and declaring an emergency."

The bill was laid before the Senate, read third time and, on motion of Senator Johnson of Hall, was passed finally.

**House Bill No. 161.**

The Chair laid before the Senate on third reading:

H. B. No. 161, A bill to be entitled "An Act to amend Chapter 32, Article 6196 of the General Laws passed at the First Called Session of the Thirty-fifth Legislature, 1917, page 49, regulating the management and control of the penitentiary system and regulating the fixing of salaries of penitentiary guards, and declaring an emergency."

The bill was laid before the Senate, read third time and, on motion of Senator Dean was passed finally.

**House Bill No. 166.**

The Chair laid before the Senate on second reading:

H. B. No. 166, A bill to be entitled "An Act to amend Chapter 88 of the Special Laws of the Regular Session of the Thirty-fifth Legislature, known as the Henderson County Road Law, etc., and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

On motion of Senator Robbins, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 166 put on its third reading and final passage by the following vote:

Yeas—24.

Alderdice.	Buchanan of Bell.
Bailey.	Clark.
Bee.	Collins.

Dean.	Johnston of Harris.
Decherd.	Lattimore.
Faust.	McNealus.
Floyd.	Page.
Gibson.	Parr.
Hall.	Robbins.
Henderson.	Strickland.
Hopkins.	Suiter.
Johnson of Hall.	Westbrook.

Absent.

Buchanan of Scurry.	Smith.
Caldwell.	Woodward.

Absent—Excused.

Dayton.	McCollum.
Hudspeth.	

The bill was laid before the Senate, read third time and, on motion of Senator Robbins, was passed by the following vote:

Yeas—21.

Bailey.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris.
Clark.	Lattimore.
Collins.	McNealus.
Dean.	Page.
Decherd.	Parr.
Faust.	Robbins.
Floyd.	Strickland.
Gibson.	Suiter.
Henderson.	Westbrook.
Hopkins.	

Absent.

Alderdice.	Hall.
Bee.	Smith.
Buchanan of Scurry.	Woodward.
Caldwell.	

Absent—Excused.

Dayton.	McCollum.
Hudspeth.	

**House Bill No. 148.**

The Chair laid before the Senate on second reading:

H. B. No. 148, A bill to be entitled "An Act creating a more efficient road system for Chambers County, etc., and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

On motion of Senator Hall, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 148

put on its third reading and final passage by the following vote:

Yeas—21.

Alderdice.	Hopkins.
Bee.	Johnson of Hall.
Buchanan of Bell.	Lattimore.
Clark.	Page.
Collins.	Parr.
Dean.	Robbins.
Decherd.	Smith.
Faust.	Strickland.
Floyd.	Suiter.
Gibson.	Westbrook.
Hall.	

Absent.

Bailey.	Johnston of Harris.
Buchanan of Scurry.	McNealus.
Caldwell.	Woodward.
Henderson.	

Absent—Excused.

Dayton.	McCollum.
Hudspeth.	

The bill was laid before the Senate, read third time and, on motion of Senator Hall, was passed finally.

House Bill No. 97.

The Chair laid before the Senate on second reading:

H. B. No. 97, A bill to be entitled "An Act to amend Section 5, Chapter 78, pages 147-148 and 149, passed at the Regular Session of the Thirty-fifth Legislature, known as the interchangeable jury law, so as to hereafter read as follows."

The committee report that the bill be printed in the Journal only was adopted.

The bill was read second time and passed to its third reading.

On motion of Senator Lattimore, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 97 put on its third reading and final passage by the following vote:

Yeas—24.

Alderdice.	Faust.
Bailey.	Floyd.
Bee.	Gibson.
Buchanan of Bell.	Hall.
Clark.	Hopkins.
Collins.	Johnson of Hall.
Dean.	Johnston of Harris.
Decherd.	Lattimore.

McNealus.	Smith.
Page.	Strickland.
Parr.	Suiter.
Robbins.	Westbrook.

Absent.

Buchanan of Scurry.	Henderson.
Caldwell.	Woodward.

Absent—Excused.

Dayton.	McCollum.
Hudspeth.	

The bill was laid before the Senate, read third time and, on motion of Senator Lattimore, was passed finally.

House Bill No. 162.

The Chair laid before the Senate on second reading:

H. B. No. 162, A bill to be entitled "An Act to validate charters or acts of incorporation adopted by cities since the enactment of Chapter 147, page 307, of the Acts of the Regular Session of the Thirty-third Legislature, said cities according to the 1910 United States census having a population of less than five thousand inhabitants, but which had at the time of the adoption of said charter or act of incorporation a population in excess of five thousand, and declaring an emergency."

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to its third reading.

On motion of Senator Johnson of Hall, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 162 put on its third reading and final passage by the following vote:

Yeas—22.

Alderdice.	Hall.
Bailey.	Hopkins.
Bee.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris.
Clark.	Lattimore.
Collins.	McNealus.
Dean.	Page.
Decherd.	Parr.
Faust.	Smith.
Floyd.	Suiter.
Gibson.	Westbrook.

Present—Not Voting.

Strickland.

## Absent.

Buchanan of Scurry. Robbins.  
Caldwell. Woodward.  
Henderson.

## Absent—Excused.

Dayton. McCollum.  
Hudspeth.

The bill was laid before the Senate, read third time and, on motion of Senator Johnson of Hall, was passed finally.

## Senate Bill No. 73.

The Chair laid before the Senate on second reading:

S. B. No. 73, A bill to be entitled "An Act repealing Articles 7407, 7408, 7409 and 7418, Revised Statutes of 1911, providing for a State Tax Board and devolving the duties heretofore placed upon such board upon the Railroad Commission of Texas; amending Articles 7410, 7411, 7413, 7415, 7417, 7419, 7420, 7422, and 7424, prescribing certain duties and powers heretofore vested in the State Tax Board so as to vest such powers and duties upon the Railroad Commission of Texas, and declaring an emergency."

On motion of Senator Alderdice the bill was postponed indefinitely.

## Message from the Governor.

The private secretary to the Governor here appeared at the bar of the Senate with an executive message.

The same was laid before the Senate and read, as follows:

Governor's Office,  
Austin, Texas, March 25, 1918.

To the Thirty-fifth Legislature in Fourth Called Session:

In view of the indications that it will become necessary to organize a new National Guard in Texas, it is recommended that Chapter 23 of the Acts of the Third Called Session of the Thirty-fifth Legislature be repealed, and the appropriation of \$400,000 be increased to \$750,000 for the maintenance and support of the military forces of the State of Texas and for the Adjutant General's department.

It is proposed to raise six regiments of cavalry and three regiments of infantry already authorized by the Secretary of War, and I have requested the Secretary of War that authority be given for raising a division of cavalry in Texas for special duty on the border and to relieve the forces of the regular army now stationed on the border.

There is remaining in the Treasury \$211,840.65 unexpended of the appropriation of \$400,000, which with the additional appropriation of \$350,000 hereby recommended, will amply provide for the organization of such division, and which appropriation, of course, will not be expended unless demanded by the necessities of war.

Respectfully submitted,

W. P. HOBBY,  
Governor of Texas.

## Senate Bill No. 88.

The Chair laid before the Senate on third reading:

S. B. No. 88, A bill to be entitled "An Act to repeal Articles 7074, 7366, 7367, 7368, and 7392 of the Revised Civil Statutes of the State of Texas, 1911, creating the office of State Revenue Agent and defining his powers and duties, repealing the appropriation for said State Revenue Agent, the bill to become effective January 15, 1919, and declaring an emergency."

The bill was laid before the Senate, read third time and, on motion of Senator Alderdice, was passed finally.

## Senate Bill No. 90.

The Chair laid before the Senate on second reading:

S. B. No. 90, A bill to be entitled "An Act to validate the sale of certain public domain made by the State on February 21, 1907, and declaring an emergency."

On motion of Senator Collins the bill was postponed indefinitely.

## Senate Bill No. 64.

The Chair laid before the Senate on second reading:

S. B. No. 64, A bill to be entitled "An Act to amend Chapter 190 of the General Laws enacted by the Thirty-



fifth Legislature of 1917, and approved by the Governor on April 4, 1917, and being an Act to establish a State Highway Department, creating a State Highway Commission and the office of State Highway Engineer; prescribing the duties of the members of the Commission and the Engineer, and fixing the compensation of each and the qualifications of such engineer; providing for the employment of such clerical and other assistance as may be necessary in the operation of the Department; and declaring an emergency."

On motion of Senator Collins the bill was laid on the table subject to call.

#### Senate Bill No. 87.

The Chair laid before the Senate on second reading:

S. B. No. 87, A bill to be entitled "An Act to repeal Article 7380 of Chapter 2, Title 126, of the Revised Civil Statutes of the State of Texas, of 1911, as enacted in Section 12 of Chapter 18 of the General Laws of the State of Texas, passed at the First Called Session of the Thirtieth Legislature, approved May 16, 1907, and declaring an emergency."

Senator Caldwell moved the previous question on the engrossment of the bill which being duly seconded the main question was ordered.

The bill was read second time and Senator Caldwell moved the engrossment of the bill, which motion was lost by the following vote:

#### Yeas—8.

Bailey.	McNealus.
Caldwell.	Parr.
Collins.	Smith.
Gibson.	Strickland.

#### Nays—18.

Alderdice.	Henderson.
Bee.	Hopkins.
Buchanan of Bell.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris.
Clark.	Lattimore.
Dean.	Page.
Decherd.	Robbins.
Faust.	Suiter.
Floyd.	Westbrook.

#### Absent.

Hall.	Woodward.
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#### Absent—Excused.

Dayton.	McCollum.
Hudspeth.	

#### Bills Signed.

The Chair, President Pro Tem. Decherd, gave notice of signing and did sign in the presence of the Senate, after their captions had been read, the following bills:

S. B. No. 89, A bill to be entitled "An Act to amend Article 693 of the Revised Civil Statutes of Texas, 1911, so as to authorize the investment of the sinking funds of counties, cities, towns, school districts or school communities in United States bonds, war saving certificates, certificates of indebtedness, in United States Government and in State, city or town bonds, and declaring an emergency."

S. B. No. 99, A bill to be entitled "An Act making an emergency appropriation for the support and maintenance of the training school for juveniles located at Gatesville, Texas, for the current fiscal year ending August 31, 1918, and declaring an emergency."

S. B. No. 63, A bill to be entitled "An Act to amend Chapter 6, Title 15, of the Penal Code of 1911, by adding thereto Article 1055a, making it a penal offense for any person to cause, encourage or contribute to the delinquency of any minor under the age of seventeen years, and declaring an emergency."

S. B. No. 49, A bill to be entitled "An Act to amend Chapter 2 of Title 66 of the Revised Civil Statutes of the State of Texas, 1911, relating to public health and providing a sanitary code for Texas, by adding thereto Article 4553aa, prohibiting advertisement concerning certain diseases and afflictions, providing a penalty for the violation thereof, and declaring an emergency."

S. B. No. 48, A bill to be entitled "An Act declaring syphilis, gonorrhea and chancroid and hereinafter designated as venereal diseases, to be contagious, infectious, communicable and dangerous to the public health; providing for and requiring reports to be made by physicians and others in all cases of such diseases; requiring patients affected with venereal disease to give information thereof; requiring city, county, and local

health officers to ascertain the existence of such diseases and the sources of infection; providing for the protection of others from infection from such diseases; providing the condition under which the name of the patients is required to be reported; requiring druggists to keep a record of sales of drugs for venereal diseases; prohibiting any person from knowingly exposing another to infection from venereal diseases; providing for the giving of certain certificates of freedom from such diseases; providing that the records and all information concerning the persons infected with such diseases shall be kept secret from the public; providing for penalty for violations of this Act; investing the State, county and local health officers with all authority now provided for the enforcement of quarantine regulations, to enforce the provisions of this Act, and declaring an emergency."

H. B. No. 90, A bill to be entitled "An Act regulating the purchase of junk by persons engaged as junk dealers or in the junk business; providing for uniform affidavits of junk sellers, and for same to be kept in well bound book, subject to inspection of the public; providing punishment for the violation of same; defining the terms 'junk dealer' and 'junk business,' and repealing all laws in conflict with the provisions of this Act, and declaring an emergency."

H. B. No. 50, A bill to be entitled "An Act to amend Sections 12 and 16 of Chapter 190, of the Acts of the Regular Session of the Thirty-fifth Legislature, creating a 'State Highway Department,' and which sections relate to the allotment of the highway funds in aid of road construction; and to annual fees for registration of motor vehicles and motorcycles."

#### House Bill No. 27.

The Chair laid before the Senate on third reading:

H. B. No. 27, A bill to be entitled "An Act to amend Articles 475 and 476 of the Penal Code of the State of Texas, prohibiting the carrying, of any pistol, dirk, dagger, sling shot, sword, cane, or knuckles made of any material or any hard substance, bowie knife, or any other knife man-

ufactured or sold for purposes of offense or defense; prescribing a punishment therefor; making exceptions thereto in favor of certain officers, and declaring an emergency."

The bill was laid before the Senate, read third time and, on motion of Senator Page was passed finally.

Senator Page moved to reconsider the vote by which the bill was passed and table the motion to reconsider.

The motion to table prevailed.

#### Senate Bill No. 71.

The Chair laid before the Senate on second reading:

S. B. No. 71, A bill to be entitled "An Act to amend Chapter 11 of Title 17, of the Penal Code of the State of Texas, as adopted at the Regular Session of the Thirty-second Legislature, 1911, so as to add thereto Article 1355a, making it a felony punishable by confinement in the penitentiary to steal any domesticated animal, bird or fowl; and declaring an emergency."

Senator Caldwell moved the adoption of the minority (favorable) committee report.

As a substitute, Senator Page moved the adoption of the majority (adverse) committee report.

The substitute motion prevailed.

#### Senate Bill No. 39.

The Chair laid before the Senate on second reading:

S. B. No. 39, A bill to be entitled "An Act for the protection of the health, safety and comfort of employes in factories, mills, workshops, mercantile establishments, laundries or other establishments where women are employed, providing for the proper temperature and ventilation for the protection of the health of employes, requiring the removal of gas, effluvia or odors from places where employes are required to work and means to allay dust injurious to the health of persons employed, prohibiting decomposed or putrescent matter or refuse of any kind to be allowed to remain in or around such place of employment, providing for cleaning, sweeping and dusting outside of working hours, etc."

On motion of Senator Collins, the further consideration of the bill was postponed indefinitely.

#### Senate Bill No. 57.

The Chair laid before the Senate on second reading:

S. B. No. 57, A bill to be entitled "An Act to amend Sections 2 and 8 of Chapter 181, Acts of the Regular Session of the Thirty-fifth Legislature, as amended by Chapter 6, Acts of the Third Called Session of the Thirty-fifth Legislature, by adding thereto Section 2b, providing for standard 'grades and packs' of other fruits and vegetables, prohibiting common carriers from receiving fruits or vegetables for shipment or transporting the same in violation of the provisions of this Act; prescribing penalties for violation of this law and declaring an emergency."

On motion of Senator Dean, the bill was laid on the table subject to call.

#### House Bill No. 63.

Senator Collins moved that the constitutional rule requiring bills to be read on three several days be suspended and House Bill No. 63 put on its second reading.

The motion prevailed by the following vote:

Yeas—22.

Alderdice.	Johnson of Hall.
Bee.	Johnston of Harris.
Buchanan of Bell.	Lattimore.
Collins.	McNealus.
Dean.	Page.
Decherd.	Parr.
Faust.	Robbins.
Floyd.	Smith.
Gibson.	Strickland.
Hall.	Suiter.
Hopkins.	Westbrook.

Nays—2.

Caldwell.	Clark.
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Present—Not Voting.

Bailey.

Absent.

Buchanan of Scurry, Woodward  
Henderson.

Absent—Excused.

Dayton.

McCollum.

Hudspeth.

The Chair laid before the Senate on second reading:

H. B. No. 63, A bill to be entitled "An Act providing that all applications for registrations and license of motor vehicles, motorcycles, manufacturers, dealers and chaffeurs shall hereafter be filed with the collector of taxes for the county of the residence of the applicant and that all license fees be paid to such tax collection; providing for compensation to tax collectors; and repealing Article 3898, Revised Statutes and amendments thereto, etc., and declaring an emergency."

The Senate rule requiring committee reports to lie over one day was suspended.

The committee report that the bill be not printed was adopted.

Senator Page offered the following amendment, which was read and lost:

Amend the bill by striking out the words "tax collector" wherever same appear, and insert in lieu thereof, "county clerk."

Senator Johnson of Hall offered the following amendment which was read and lost:

Amend House Bill No. 63, last full line of Section 6, after the words "page 246" by inserting the words, "from all sources."

On motion of Senator Collins, the bill was laid on the table subject to call.

#### Recess.

At 11:55 o'clock a. m., on motion of Senator Clark, the Senate recessed until 2:30 o'clock today.

#### After Recess.

(Afternoon Session.)

The Senate was called to order by President Pro Tem. Decherd.

#### Bills and Resolutions.

(By unanimous consent.)

By Senator Lattimore:

S. B. No. 115, A bill to be entitled

"An Act making an appropriation of \$350,000, or so much thereof as may be necessary out of the general revenue or any other available funds, for the purpose of providing for the pay, transportation, subsistence and all other expenses of the military forces of the State when ordered on duty or when mobilized or when recruiting and organizing troops or when ordered on other military duties; providing for the pay, transportation and expense of officers on active duty, or while serving on military courts, or boards, etc., and declaring an emergency."

Read first time and referred to the Committee on Finance.

By Senators Smith and Floyd:

S. B. No. 116, A bill to be entitled "An Act to make appropriation to return tax erroneously paid by J. A. Beal, and to appropriate the sum of \$20 to pay T. M. Wall for veterinary service rendered for the State, and declaring an emergency."

Read first time and referred to the Committee on Public Debts, Claims and Accounts.

#### Senate Concurrent Resolution No. 12.

(By unanimous consent.)

Whereas, It has come to the knowledge of the Texas Legislature that the Federal Government has called upon the University of Texas to assist in training mechanics for the army; and,

Whereas, The buildings at present occupied by the ground school of Military Aeronautics will accommodate a large number of these mechanics; and

Whereas, This makes it necessary for the University to provide an additional place for the accommodation of the ground school of Military Aeronautics, involving an expenditure of approximately \$250,000; now, therefore, be it

Resolved by the Senate, the House of Representatives concurring, first: That the use of Camp Mabry be extended to the Board of Regents of the University of Texas for the School of Military Aeronautics, and second: That it is the sense of this Legislature that in the event the war should be over before the earnings of the School of Military Aeronautics shall reimburse the Board of Regents of

the University of Texas for the expenditures incurred, the State of Texas should be responsible for such balance in the building account as may remain unpaid at that time, it being understood that in the event these buildings are completely paid for before the close of the war, they shall become the property of the State for the use of the National Guard or for any other purpose which may seem wise.

HENDERSON.  
COLLINS.

The resolution was read and adopted.

#### Simple Resolution No. 53.

(By unanimous consent.)

Whereas, The female employes, in and about the State Capitol of Texas, have organized an auxiliary to the American Red Cross, and

Whereas, The various departments in and about the Capitol and also the Senate Chamber, during the session of the Senate, have large accumulations of waste paper, such as old Journals, waste of various kinds, and

Whereas, The said auxiliary of the American Red Cross as mentioned, are very desirous that all of said waste be turned over to them to be used for the benefit of the American Red Cross, and

Whereas, The heads of the various departments are willing and anxious to comply by turning over such waste to such society but would like more specific authority; now, therefore, be it

Resolved, That all employes of the Senate are hereby instructed to turn over all accumulations of waste to the said Society and that the Senate of Texas request all the heads of the State departments, in and about the State Capitol, insofar as can be done, under existing laws, to turn over all said accumulations in their respective departments to said auxiliary of the American Red Cross, to be used for the benefit of the American Red Cross.

PAGE.

The resolution was read and adopted.

#### Messages from the Governor.

A messenger here appeared at the



bar of the Senate with several executive messages, which were laid before the Senate and read as follows:

Governor's Office,  
Austin, Texas, March 25, 1918.  
To the Thirty-fifth Legislature in Fourth Called Session:  
I submit for your consideration the subject of providing an appropriation for the purpose of establishing and conducting a camp of instruction for the reserve officers' corps of the University of Texas.

Respectfully submitted,  
W. P. HOBBY,  
Governor of Texas.

Governor's Office,  
Austin, Texas, March 25, 1918.  
To the Thirty-fifth Legislature in Fourth Called Session:  
I submit for your consideration the subject of an Act making a supplementary appropriation supplementing the appropriation made for the expenses of the Live Stock Sanitary Commission, to be expended during the two fiscal years, ending August 31, 1919.

Respectfully submitted,  
W. P. HOBBY,  
Governor of Texas.

Governor's Office,  
Austin, Texas, March 25, 1918.  
To the Thirty-fifth Legislature in Fourth Called Session:  
At the request of Senators Smith and Floyd, I submit for your consideration an Act to make appropriation to return tax erroneously paid by J. A. Beal, and to appropriate the sum of \$20 to pay T. M. Wall for veterinary service rendered for the State.

Respectfully submitted,  
W. P. HOBBY,  
Governor of Texas.

Governor's Office,  
Austin, Texas, March 25, 1918.  
To the Texas Senate:  
I ask the advice, consent and confirmation of the Senate to the following appointments:

Hon. T. B. Greenwood of Anderson County to be appointed an associate justice of the Supreme Court of Texas, vice Hon. J. E. Yantis, resigned, effective April 1, 1918.

Hon. R. L. Winfrey of Dallas County to be a member of the Board of Prison Commissioners, vice Hon. John H. Bickett, resigned, effective April 1, 1918.

Mr. C. G. Timmins, cotton welgher for Houston, Harris County, appointed March 6, 1918.

Respectfully submitted,  
W. P. HOBBY,  
Governor of Texas.

The message was read and referred to the Committee on Nominations of the Governor.

#### Simple Resolution No. 54.

Whereas, There appeared in the public press of recent date an article signed by W. P. Yearly, who signs himself as Assistant Director of Markets of the State Department of Agriculture, using the following language in said article:

"It sometimes seems to me that the devil owes the South a debt and is paying it off here and there with members of her legislatures. There are four or five members in the present Legislature that receive their instructions of how to vote and talk from a source equal to the bottomless pit. I am sorry to say that your Senator appears to come in this class."—(From the Hallettsville New Era.)

Whereas, In the publication of said letter he charges such members of the Legislature and of the Senate as being in league with cotton gamblers and others known as the enemy of the farmers of Texas, and

Whereas, Said statements are wholly unfounded and untrue, and without any semblance of truth in them, and

Whereas, The said W. B. Yearly is now an employe of the State of Texas; now, therefore, be it

Resolved, That we, the members of the Senate of Texas, both individually and collectively, condemn the statements made in said letter published, and denounce them as untrue and we believe it to be to the best interest of this State that the said W. B. Yearly be removed from his position in the Agricultural Department of this State, and we request the Commissioner of Agriculture to so remove him.

HALL.

The resolution was read and unanimously adopted.

**At Ease.**

At 2:45 o'clock p. m. the Senate by unanimous consent stood at ease for one hour.

**In the Senate.**

President Pro Tem. Decherd in the chair at 3:45 o'clock.

**House Bill No. 99—Referred.**

By unanimous consent and on request of Senator Collins, House Bill No. 99 was withdrawn from the Committee on Public Debts, Claims and Accounts and referred to the Committee on Finance.

**Senate Bill No. 108—House Amendment Concurred in.**

Senator McNealus called up for consideration of the House amendments to:

S. B. No. 108, A bill to be entitled "An Act to amend Section 1, Chapter 189, of the General Laws of the State of Texas, passed by the Regular Session of the Thirty-fifth Legislature of the State of Texas, 1917, relating to official shorthand reporters compensation in Dallas, Travis, and Bexar Counties."

The following House amendments were laid before the Senate:

Amend Senate Bill No. 108, Section 8, line 2, by adding after the words "Bexar County" the words "Harris County."

Amend Senate Bill No. 108, in the caption, by adding after the words "Dallas County," in line 5 thereof, "and Harris County."

The foregoing amendments were read and, on motion of Senator McNealus, the same were concurred in by the Senate.

**House Bill No. 63.**

The Chair laid before the Senate as pending business, House Bill No. 63, relating to payment of licenses on motor vehicles, etc., the question being upon the passage of the bill to its third reading.

Senator Lattimore offered the following amendment, which was read and adopted.

(1) Amend House Bill No. 63, by striking out all of proposed Section 5 down to the second word, "all," and by changing the small letter "a" at the beginning of said word to a capital; remainder of the said Section to be unchanged.

Senator Dean offered the following amendment, which was read and adopted:

(2) Amend the bill by striking out all after the words and figures, "page 246" in section 6, and amend the caption by striking out the same words and figures.

The bill was read second time and passed to its third reading.

On motion of Senator Collins, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 63 put on its third reading and final passage by the following vote:

Yeas—22.

Alderdice.	Henderson.
Bailey.	Hopkins.
Bee.	Johnson of Hall.
Buchanan of Bell.	Johnston of Harris.
Buchanan of Scurry.	Lattimore.
Collins.	McNealus.
Dean.	Page.
Decherd.	Parr.
Faust.	Strickland.
Floyd.	Suiter.
Hall.	Westbrook.

Absent.

Caldwell.	Robbins.
Clark.	Smith.
Gibson.	Woodward.

Absent—Excused.

Dayton.	McCollum.
Hudspeth.	

The bill was laid before the Senate, read third time and, on motion of Senator Collins, was passed finally.

**Senate Bill No. 97—House Amendments Concurred In.**

Senator Hall called up for consideration of House amendments to:

S. B. No. 97, A bill to be entitled "An Act granting permission to A. E. Masterson to bring suit against the State of Texas, in the district court of Brazoria County, Texas, for rents claimed to be due the said A. E. Masterson for rents on lands sit-

uated in Brazoria County, Texas, which lands were cultivated during the year 1917 by the Board of Prison Commissioners and declaring an emergency."

The following House amendments were laid before the Senate:

(1) Amend Senate Bill No. 97, by substituting for Section 1 of the bill the following new section.

Section 1. That A. E. Masterson be and is hereby granted permission to sue the State of Texas for rents on land situated in Brazoria County, Texas, which lands were cultivated during the year 1917, by the Board of Prison Commissioners.

(2) Amend Section 2, of the bill by substituting the following new section.

Section 2. That the suit herein authorized shall be filed in the District of Travis County, Texas; provided, that payment of any judgment in the suit herein authorized shall not be made until appropriation is made by the Legislature for the purpose.

The foregoing amendments were read and, on motion of Senator Hall, the same were concurred in by the Senate.

#### Bills Signed.

The Chair, President Pro Tem. Decherd, gave notice of signing and did sign, in the presence of the Senate, after their captions had been read, the following bills:

S. B. No. 85, A bill to be entitled "An Act to amend Article 6552, Title 115, Chapter 10 of the Revised Civil Statutes of 1911, providing that trains shall be regulated and notice shall be given of the time of trains, their places of stopping for freight and passengers; providing further that no railroad company, manager or receiver shall cease to operate trains on any railroad, and if they have so ceased to operate shall resume operation; providing further that the Railroad Commission of the State of Texas shall enforce the regulations hereof, and shall report to the Attorney General violations hereof, who shall file suit to enforce the same, and that this Act shall be cumulative of all laws now in effect on this subject, and declaring an emergency."

S. B. No. 60, A bill to be entitled "An Act to amend Article 1063, Title

15, Chapter 8, Revised Code of the State of Texas, 1911, defining rape, and declaring an emergency."

H. B. No. 162, A bill to be entitled "An Act to validate charters or acts of incorporation adopted by cities since the enactment of Chapter 147, page 307, of the Acts of the Regular Session of the Thirty-third Legislature, said cities, according to the 1910 United States census, having a population of less than five thousand inhabitants, but which had at the time of the adoption of said charter or act of incorporation a population in excess of five thousand; and declaring an emergency."

H. B. No. 161, A bill to be entitled "An Act to amend Chapter 32, Article 6196 of the General Laws passed at the First Called Session of the Thirty-fifth Legislature, 1917, page 49, regulating the fixing of salaries of penitentiary guards, and declaring an emergency."

H. B. No. 177, A bill to be entitled "An Act changing the boundaries of Common School Districts Nos. 3 and 14 and Slaton Independent School District in Lubbock County, Texas, and transferring a portion of the territory now embraced in Union Common School District No. 3, to Slaton Independent School District, etc., and declaring an emergency."

H. B. No. 176, A bill to be entitled "An Act changing the boundaries of Lubbock Independent School District and Canyon Common School District No. 11 and New Hope Common School District No. 20, in Lubbock County, Texas, transferring to Canyon Common School District No. 11 a portion of the territory now embraced in Lubbock Independent School District and providing the Canyon Common School District No. 11 shall assume the portion of the bonded indebtedness of Lubbock Independent School District, etc., and declaring an emergency."

H. B. No. 174, A bill to be entitled "An Act to establish Common School District No. 15 in Lubbock County, Texas out of and so as to include certain lands heretofore in Slaton Independent School District and Common School Districts Nos. 11 and 20 of said county, etc., and declaring an emergency."

H. B. No. 175, A bill to be entitled "An Act readjusting the common districts and county line common school districts in Lubbock County,

Texas, against which outstanding bond issues are now in force, changing boundary lines of said districts, etc., and declaring an emergency."

H. B. No. 87, A bill to be entitled "An Act to amend Section 5, Chapter 78, pages 147-148 and 149, passed at the Regular Session of the Thirty-fifth Legislature, known as the interchangeable jury law, so as to hereafter read as follows, etc.

H. B. No. 138, A bill to be entitled "An Act providing that those engaged in any business within this State, upon which the laws require the payment of a tax on gross receipts, must obtain a permit to transact such business from the Secretary of State; providing for the issuance of such permit by the Secretary of State, what the same shall contain, and that the same shall be posted in the office of the person or concern to whom issued; providing for an application to be made for such permits, and what such application shall show; the length of time such permits are to run and when those now engaged in business must obtain permits; providing for the suspension of such permits by the Secretary of State on a certificate from the Comptroller showing the holder has failed to pay his gross receipts taxes; stating the conditions, manner and method of suspending such permits and the publication of notices with reference thereto; providing penalties for the transaction of business regulated in this Act without having obtained a permit, or transacting business after such permit has been suspended, and the method of collecting such penalties; authorizing suit by the Attorney General to collect such penalties, and defining the jurisdiction and venue of such suits; creating offenses for violations of this Act and fixing the punishment therefor; prescribing certain duties and conferring certain authority on the Comptroller, Secretary of State and the Attorney General with reference to administering and enforcing this Act; making this Act cumulative of all other laws on the subject, and declaring an emergency."

H. B. No. 166, A bill to be entitled "An Act to amend Chapter 88 of the special laws of the regular session of the Thirty-fifth Legislature known as the Henderson County road law, by adding thereto immediately following

Section 15, on page 350, Sections 15a, 15b, 15c, 15g, 15h, 15i, 15j, 15k, 15m, 15n, 15o 15p providing for the issuance of bonds by the said county or any political subdivision thereof; etc. and declaring an emergency."

H. B. No. 148, A bill to be entitled "An Act creating a more efficient road system for Chambers County, etc., and declaring an emergency."

H. C. R. No. 12, inviting Governor Hobby to address a joint session of the Legislature.

### Senate Bill No. 115.

Senator Dean moved that the constitutional rule requiring bills to be read on three several days be suspended and Senate Bill No. 115 put on its second reading.

The motion was adopted by the following vote:

Yeas—23.

Alderdice.	Hopkins.
Bailey.	Johnson of Hall.
Bee.	Johnston of Harris.
Buchanan of Scurry.	Lattimore.
Caldwell.	McNealus.
Clark.	Page.
Collins.	Parr.
Dean.	Smith.
Faust.	Strickland.
Floyd.	Suiter.
Hall.	Westbrook.
Henderson.	

Absent.

Buchanan of Bell.	Robbins.
Decherd.	Woodward.
Gibson.	

Absent—Excused.

Dayton.	McCollum.
Hudspeth.	

The Chair laid before the Senate on second reading:

S. B. No. 115, A bill to be entitled "An Act making appropriation of \$350,000.00 or so much thereof as may be necessary out of the general revenue or any other available funds, for the purpose of providing for the pay, transportation, subsistence and all other expenses of the military forces of the State when ordered on duty, or when mobilized or when recruiting and organizing troops, or when ordered on other military duties; providing for the pay, trans-



portation and expense of officers on active duty, or while serving on military courts, or boards, etc., and declaring an emergency."

The Senate rule requiring committee reports to lie over one day was suspended.

The committee report that the bill be not printed was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Dean, the constitutional rule requiring bills to be read on three several days was suspended and Senate Bill No. 115 put on its third reading and final passage by the following vote:

Yeas—23.

Alderdice.	Hopkins.
Bailey.	Johnson of Hall.
Bee.	Johnston of Harris.
Buchanan of Scurry.	Lattimore.
Caldwell.	McNealus.
Clark.	Page.
Collins.	Parr.
Dean.	Smith.
Faust.	Strickland.
Floyd.	Sulter.
Hall.	Westbrook.
Henderson.	

Absent.

Buchanan of Bell.	Robbins.
Decherd.	Woodward.
Gibson.	

Absent—Excused.

Dayton.	McCollum.
Hudspeth.	

The bill was laid before the Senate, read third time and, on motion of Senator Dean, was passed by the following vote:

Yeas—24.

Alderdice.	Henderson.
Bailey.	Hopkins.
Bee.	Johnson of Hall.
Buchanan of Scurry.	Johnston of Harris.
Caldwell.	Lattimore.
Clark.	McNealus.
Collins.	Page.
Dean.	Parr.
Decherd.	Strickland.
Faust.	Smith.
Floyd.	Sulter.
Hall.	Westbrook.

Absent.

Buchanan of Bell.	Robbins.
Gibson.	Woodward.

Absent—Excused.

Dayton.	McCollum.
Hudspeth.	

#### Messages from the House.

Hall of House of Representatives.

Austin, Texas, March 23, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 108, A bill to be entitled "An Act to amend Section 1, Chapter 189 of the General Laws of the State of Texas, passed by the Regular Session of the Thirty-fifth Legislature of the State of Texas, 1917, relating to the official shorthand reporters' compensation in Dallas County, and declaring an emergency," with amendments.

H. B. No. 180, A bill to be entitled "An Act making it the duty of the Secretary of State to examine and consider applications for refund for permit fee and franchise taxes paid by foreign corporations, under protest, against the constitutionality of the permit-fee and franchise tax acts of the State of Texas recently held void by the Supreme Court of the United States; defining the duties of the Secretary of State with reference to this matter and regulating the method of approving and registering these claims; authorizing suits to be brought against the Secretary of State in his official capacity in any district court of Travis County for the establishment and allowance of any claim rejected by the Secretary of State, regulating such suit and prescribing the duties of the Secretary of State in the event of final judgment establishing such claims; prescribing the period of time within which such claims must be presented to the Secretary of State and within which suits must be filed on rejected claims and fixing a period of limitation when such claims shall be void, and declaring an emergency."

S. B. No. 29, A bill to be entitled "An Act fixing the salary of the Adjutant General and making an appropriation of \$7200, or so much thereof as may be necessary, out of moneys in the State Treasury for the years ending August 31, 1918 and August 31, 1919; repealing all laws

or parts of laws in conflict therewith and declaring an emergency."

S. B. No. 105, A bill to be entitled "An Act to amend Section 14, of Chapter 23, of the laws passed at the Regular Session of the Thirty-third Legislature, being an Act creating a more effective road system for Scurry County, Texas, making county commissioners ex officio road commissioners for their respective precincts, prescribing their powers and duties, providing for their compensation, etc., so that said Section 14 of said Act shall hereafter read as set out below, and declaring an emergency."

S. B. No. 97, A bill to be entitled "An Act granting permission to A. B. Masterson to bring suit against the State of Texas in the district court of Brazoria County, Texas, for rents claimed to be due the said A. E. Masterson for rents on lands situated in Brazoria County, Texas, which lands were cultivated during the year 1917 by the Board of Prison Commissioners and declaring an emergency," with amendments.

S. B. No. 69, A bill to be entitled "An Act providing that those engaged in any business within this State upon which the laws require the payment of a tax on gross receipts must obtain permit to transact such business from the Secretary of State; providing for the issuance of such permit by the Secretary of State, what the same shall contain, and that the same shall be posted in the office of the person or concern to whom issued; providing for an application to be made for such permits and what such application shall show; the length of time such permits are to run; when those now engaged in business must obtain permits; providing for the suspension of such permits by the Secretary of State on a certificate from the Comptroller showing the holder has failed to pay his gross receipt taxes; stating the conditions, manner and method of suspending such permits, and the publication of notices with reference thereto; providing penalties for the transaction of business regulated in this Act without having obtained a permit, or transacting business after such permit has been suspended and the method of collecting such penalties; authorizing suit by the Attorney General to collect such penalties and defining the jur-

isdiction and venue of such suits; creating offenses for violations of this Act and fixing the punishment therefor; prescribing certain duties and conferring certain authority on the Comptroller, Secretary of State and the Attorney General with reference to administering and enforcing this Act; making this Act cumulative of all other laws on this subject and declaring an emergency."

S. B. No. 92, A bill to be entitled "An Act providing for additional compensation for district attorneys and county attorneys performing the duties of district attorneys in counties containing cities of 35,000 inhabitants and over, and where army posts are now located, according to the last Federal census in prosecutions of violations of what is known as the Ten Mile Zone Law, and in investigations before grand juries, and declaring an emergency."

S. B. No. 114, A bill to be entitled "An Act regulating the taxing of all money and securities deposited with the State Treasurer, etc.," with amendments.

S. B. No. 109, A bill to be entitled "An Act to amend Section 2 of an Act passed by the First Called Session of the Thirty-first Legislature, Chapter 8, Special Laws, entitled 'An Act to authorize, enable and permit the territory situated within the bounds of the city of Amarillo in the county of Potter and State of Texas, and other lands and territory adjacent thereto in Potter County, to incorporate as an independent school district for free school purposes only, to be known as the Amarillo Independent School District, with all the powers, rights and duties of independent school districts formed by incorporations of towns and villages for free school purposes only; and to provide for the election of trustees, raising of revenue by taxation, issuing of bonds, acquiring the property of and assuming the indebtedness of the Amarillo Independent School District within the city limits, and dissolving the Amarillo Independent School District within the city limits, and repealing Chapter 136, Acts of 1905, relating to the incorporation of the Amarillo Independent School District, and declaring an emergency,' so as to add certain territory in Randall County, and declaring an emergency."

Concurs in Senate amendments to House Bill No. 138.

The following committee has been appointed on part of the House, provided by House Concurrent Resolution No. 12: Messrs Metcalfe, Sackett and Spencer.

Respectfully,

BOB BARKER,  
Chief Clerk, House of Representatives.

Hall of House of Representatives.

Austin, Texas, March 25, 1918.

Hon. E. A. Decherd, President Pro Tem, of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

H. B. No. 165, A bill to be entitled "An Act providing for the redemption by the owner of land or lots heretofore sold, or that may be hereafter sold, to the State, city or town for taxes, and repealing all laws in conflict with this Act, and declaring an emergency."

Adopted Free Conference Committee report on House Bill No. 52.

Respectfully,

BOB BARKER,  
Chief Clerk, House of Representatives.

#### Bills Read and Referred.

The Chair, President Pro Tem. Decherd, had referred, after their captions had been read, the following House bills:

H. B. No. 180, referred to the Committee on State Affairs.

H. B. No. 165, referred to the Committee on State Affairs.

#### House Concurrent Resolution No. 9.

The Chair laid before the Senate:

H. C. R. No. 9, Authorizing the Board of Prison Commissioners, by and with the consent of the Governor, to sell the box factory located at Rusk, Texas.

The Senate rule requiring committee reports to lie over one day was suspended.

The resolution was read and on motion of Senator Strickland, the same was adopted.

#### House Bill No. 52—Free Conference Committee Report.

The Chair laid before the Senate the following report:

Committee Room,  
Austin, Texas, March 25, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate,

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sirs: We, your Free Conference Committee on House Bill No. 52, beg leave to report that we have met and after full and free conference have agreed and recommend to the House and Senate that said bill do pass when same shall have been amended as follows:

#### Amendment No. 1.

Strike out all after the enacting clause and insert in lieu thereof the following:

"Section 1. That Article 889a of Chapter 6, Title 13, of the Penal Code of the State of Texas of 1911, as amended by Chapter 123 of the General Laws passed by the Thirty-fourth Legislature at its regular session, be amended so as to hereafter read as follows:

"Article 889a. From and after the passage it shall be unlawful for any person to kill any dove during the period of time embraced between the first day of February and the first day of December of any year; provided, however, that in those counties in this State lying north of a line marking the northern boundaries of the counties of Shelby, Nacogdoches, Angelina, Houston, Leon, Roberson, Falls, Bell, Lampasas, San Saba, McCullough, Concho, Tom Green, Irion, Reagan, Upton, Ward, Loving, Culberson, Hudspeth and El Paso, it shall be unlawful for any person to kill any dove, during the period of time embraced between the first day of November and the thirty-first day of August of any year.

Section 2. The importance of the subject matter of this bill, the crowded condition of the calendar and the near approach of the end of the session creates an emergency and an imperative public necessity demanding the suspension of the constitutional rule requiring bills to be read on three several days in each house and it is so suspended and that this act

be in force and effect from and after its passage, and it is so enacted.

#### Amendment No. 2.

Strike out all before the enacting clause and insert in lieu thereof the following:

"An Act to amend Article 889a of Chapter 6 of Title 13 of the Penal Code of the State of Texas, of 1911 as amended by Chapter 123 of the General Laws passed by the Thirty-fourth Legislature at its regular session relating to the closed season for killing of doves, and declaring an emergency."

CALDWELL.

PAGE.

GIBSON.

JOHNSTON of Harris.

On the part of the Senate.

MILLER of Dallas.

SPRADLEY.

TILSON.

ROEMER.

On the part of the House.

The foregoing report was read and on motion of Senator Caldwell the same was adopted.

#### House Bill No. 109.

The Chair laid before the Senate on second reading:

H. B. No. 109, A bill to be entitled "An Act providing for reports of receipts and disbursements by candidates and their campaign committees in primary elections, limiting their expenses and specifying the purposes for which such disbursements may be made; defining violations of this Act and providing penalties therefor; repealing all laws in conflict herewith; and declaring an emergency."

The committee report that the bill be not printed was adopted.

Senator Collins offered the following amendments which were read and adopted separately.

(1) Amend the bill as follows: After "\$750" in line 19, page 7 of the House printed bill, insert the following: "for the first one thousand votes in said county and \$100 for each additional one thousand votes."

(2) Amend the bill as follows: After the word "two hundred" in line 20, page 7 of the House printed bill, insert the following: "for the first

one thousand votes in such county and \$50 for each additional one thousand votes after the first one thousand."

(3) Amend the bill as follows: After the word "necessary" in line 21, page 7 of the House printed bill, strike out the period and add a semicolon, and add the following words: "provided that in ascertaining the number of votes in any county, it shall be based upon the number of votes cast by the party of which such candidate is a member at its last general primary election."

Senator Lattimore offered the following amendment:

Amend House Bill No. 109 by striking out Section 12 and renumbering the remaining sections to correspond.

Senator Collins offered the following substitute for the foregoing amendment:

(4) Amend the bill by striking out all of Sections numbers 10, 11 and 12 and renumbering sections accordingly.

Senator Westbrook moved to table the amendment and substitute for same.

The motion to table was lost by the following vote:

Yeas—4.

Alderdice.  
Hopkins.

Suiter.  
Westbrook.

Nays—16.

Bailey.  
Bee.  
Buchanan of Scurry.  
Clark.  
Collins.  
Dean.  
Faust.  
Gibson.

Johnson of Hall.  
Johnston of Harris.  
Lattimore.  
McNealus.  
Page.  
Parr.  
Smith.  
Strickland.

Present—Not Voting.

Buchanan of Bell.

Absent.

Caldwell.  
Decherd.  
Floyd.  
Hall.

Henderson.  
Robbins.  
Woodward.

Absent—Excused.

Dayton.  
Hudspeth.

McCollum.

The substitute prevailed and was then adopted as substituted.



Senator Bee offered the following amendment:

(5) Amend the bill by striking out "Section 6" of said bill.

Senator Westbrook moved to table the amendment which motion was lost.

The amendment was then adopted.

Senator Dean offered the following amendment which was read and adopted:

(6) Amend the bill by striking out the last sentence of Section 2.

Senator Hopkins offered the following amendments, which were read and adopted separately:

(7) Amend House Bill No. 109 by striking out in the fifth paragraph of Section 14, the figures "\$1750," and insert in lieu thereof "\$800," and by striking out the figures "\$250" and insert in lieu thereof "\$200."

(8) Amend House Bill No. 109 by striking out in paragraph five, Section 14, the figures "\$750," and insert in lieu thereof "\$500," and by striking out the figures "\$200," and insert in lieu thereof "\$100."

HOPKINS.  
McNEALUS.  
FLOYD.

Senator Clark offered the following amendment which was read:

Amend bill by striking out all of line 22.

Senator Hopkins moved the previous question on the adoption of the amendment and the passage of the bill to third reading, which being duly seconded, the main question was ordered.

The amendment was lost by the following vote:

Yeas—3.

Bee. Parr.  
Clark.

Nays—17.

Alderdice.	Johnson of Hall.
Bailey.	Johnston of Harris.
Buchanan of Scurry.	Lattimore.
Collins.	McNealus.
Dean.	Page.
Faust.	Smith.
Gibson.	Suiter.
Henderson.	Westbrook.
Hopkins.	

Present—Not Voting.

Buchanan of Bell. Robbins.

Absent.

Caldwell.	Hall.
Decherd.	Strickland.
Floyd.	Woodward.

Absent—Excused.

Dayton.	McCollum.
Hudspeth.	

The bill was read second time and passed to its third reading.

On motion of Senator Westbrook, the constitutional rule requiring bills to be read on three several days was suspended and House Bill No. 109 put on its third reading and final passage by the following vote:

Yeas—20.

Alderdice.	Hopkins.
Bailey.	Johnson of Hall.
Bee.	Johnston of Harris.
Buchanan of Bell.	Lattimore.
Buchanan of Scurry.	McNealus.
Collins.	Page.
Dean.	Robbins.
Faust.	Smith.
Gibson.	Suiter.
Henderson.	Westbrook.

Nays—3.

Caldwell.	Parr.
Clark.	

Absent.

Decherd.	Strickland.
Floyd.	Woodward.
Hall.	

Absent—Excused.

Dayton.	McCollum.
Hudspeth.	

The bill was laid before the Senate, read third time and, on motion of Senator Westbrook, was passed by the following vote:

Yeas—17.

Alderdice.	Henderson.
Bailey.	Hopkins.
Buchanan of Scurry.	Johnson of Hall.
Collins.	Lattimore.
Dean.	McNealus.
Decherd.	Smith.
Faust.	Suiter.
Floyd.	Westbrook.
Gibson.	

Nays—4.

Bee.	Clark.
Caldwell.	Parr.

## Present—Not Voting.

Johnston of Harris. Robbins.  
Page.

## Absent.

Buchanan of Bell. Strickland.  
Hall. Woodward.

## Absent—Excused.

Dayton. McCollum.  
Hudspeth.

## Simple Resolution No. 55.

(By unanimous consent.)

Whereas, The people of Texas and the tax payers are being called upon to make great sacrifice to help carry on the titanic war in which we are now engaged and,

Whereas, The Governor has requested additional appropriation of four hundred thousand (\$400,000) dollars to help equip a home guard to relieve the National troops now on our border so that they may be sent to the fighting lines in France; therefore, be it

Resolved by the Senate, That it is the sense of this body that no work on public buildings, either State, county or municipal should be undertaken until the close of the war, and that except on those public buildings now under construction, all public expense along these lines should cease.

SUITER.

The resolution was read and laid on the table subject to call.

## House Bill No. 111.

The Chair laid before the Senate on second reading:

H. B. No. 111, A bill to be entitled "An Act to amend Article 3096 of the Revised Civil Statutes of Texas, adopted in 1911, so as to read as follows: 'Article 3096. Ballot, primary, no symbol, etc., on except, etc.; ballot without test not counted, etc.'"

The Senate rule requiring committee reports to lie over one day was suspended.

The committee report that the bill be not printed was adopted.

Senator Lattimore offered the following amendment which was read:

(1) Amend the engrossed rider to House Bill No. 111, as follows:

Strike out the test as written in proposed Article 3096 and insert the following:

"I am a ——— (Here insert the name of the political party whose ticket follows) and pledge myself to support the nominees of this primary and if I vote in the general election, to vote for the nominees of this party. I voted for the nominees of this party in the last preceding general election——did not vote in the last general election. Each person offering to vote who voted at such preceding general election, shall erase the last eight words of said test and each person so offering to vote, who did not vote in the preceding general election shall erase the words 'voted for the nominees of this party in the last preceding general election,' and further amending by adding at the end of Section 1 the following:

"Provided, further, that if any person voted at the preceding general election and did not support the nominees of the party whose ticket he offers to vote, same shall be ground for challenge of such vote and if such ground is established such person shall not vote."

LATTIMORE.

Pending.

## Adjournment.

At 6:05 o'clock p. m. Senator Clark moved that the Senate stand adjourned until 10 o'clock tomorrow. The motion prevailed by the following vote:

Yeas—13.

Bailey.	Johnston of Harris.
Bee.	McNealus.
Caldwell.	Page.
Clark.	Parr.
Faust.	Smith.
Gibson.	Strickland.
Henderson.	

Nays—12.

Alderdice.	Hopkins.
Buchanan of Scurry.	Johnson of Hall.
Collins.	Lattimore.
Dean.	Robbins.
Decherd.	Suiter.
Floyd.	Westbrook.

Absent.

Buchanan of Bell.	Woodward.
Hall.	

Absent—Excused.

Dayton. McCollum.  
Hudspeth.

### APPENDIX.

#### Engrossing Committee Reports.

Committee Room,  
Austin, Texas, March 25, 1918.  
Hon. E. A. Decherd, President Pro  
Tem. of the Senate.

Sir: Your Committee on Engrossed  
Bills has had Senate Bill No. 59  
carefully compared, and finds the  
same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,  
Austin, Texas, March 25, 1918.  
Hon. E. A. Decherd, President Pro  
Tem. of the Senate.

Sir: Your Committee on Engrossed  
Bills has had Senate Bill No. 112  
carefully compared, and finds the  
same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,  
Austin, Texas, March 25, 1918.  
Hon. E. A. Decherd, President Pro  
Tem. of the Senate.

Sir: Your Committee on Engrossed  
Bills has had Senate Bill No. 106  
carefully compared, and finds the  
same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,  
Austin, Texas, March 25, 1918.  
Hon. E. A. Decherd, President Pro  
Tem. of the Senate.

Sir: Your Committee on Engrossed  
Bills has had Senate Bill No. 114  
carefully compared, and finds the  
same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,  
Austin, Texas, March 25, 1918.  
Hon. E. A. Decherd, President Pro  
Tem. of the Senate.

Sir: Your Committee on Engrossed  
Bills has had Senate Bill No. 88  
carefully compared, and finds the  
same correctly engrossed.

ALDERDICE, Chairman.

Committee Room,  
Austin, Texas, March 25, 1918.  
Hon. E. A. Decherd, President Pro  
Tem. of the Senate.

Sir: Your Committee on Engrossed

Bills has had Senate Bill No. 115  
carefully compared, and finds the  
same correctly engrossed.

ALDERDICE, Chairman.

#### Committee Reports.

Committee Room.  
Austin, Texas, March 25, 1918.  
Hon. E. A. Decherd, President Pro  
Tem. of the Senate.

Sir: Your Committee on State  
Penitentiaries, to whom was referred  
H. C. R. No. 9, that Prison Com-  
missioners, with the approval of the  
Governor, be authorized and re-  
quested to sell the box factory lo-  
cated at Rusk, Texas,

Have had the same under consid-  
eration, and I am instructed to re-  
port same back to the Senate with  
recommendation that it do pass, and  
be not printed.

DEAN, Chairman.

Committee Room.  
Austin, Texas, March 25, 1918.  
Hon. E. A. Decherd, President Pro  
Tem. of the Senate.

Sir: Your Committee on Civil  
Jurisprudence, to whom was referred  
H. B. No. 130, A bill to be entitled  
"An Act to amend Article 3944 of the  
Revised Statutes of the State of  
Texas, 1911, as amended by an Act  
passed at the regular session of the  
Thirty-fifth Legislature, approved  
March 30, 1917, being Chapter 154  
of the Acts of said session relating  
to forcible entry and detainer and to  
the issuance of citation and the ser-  
vice thereof and the giving of bond  
by plaintiffs and defendants in suits  
of that character, providing, that in  
case the plaintiff shall file a bond  
in an amount to be fixed by the jus-  
tice of the peace issuing such citation  
he shall be placed in possession of  
the property unless the defendant  
shall within six days from the ser-  
vice of citation execute and deliver  
to the officer serving such citation  
a bond in a sum at least double the  
amount given by the plaintiff, to be  
approved by said officer, and con-  
ditioned that the defendant, in case  
judgment is rendered against him,  
will pay all costs of suit and the  
reasonable rental value of the use of  
the property to the time of making  
such bond, and also the reasonable  
value or rental of same while the  
suit is pending and until it is finally

disposed of, and declaring an emergency,"

Have had the same under consideration and I am instructed to report the same back to the Senate, with the recommendation that it do pass and be not printed.

BAILEY, Chairman.

Committee Room.

Austin, Texas, March 25, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Civil Jurisprudence, to whom was referred H. B. No. 61, A bill to be entitled "An Act to amend Article 1028, Revised Civil Statutes of 1911, dealing with the fixing of rates for public utility corporations; providing the length of time such rates shall be effective and providing that such rates shall be reasonable ones; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate, with the recommendation that it do not pass.

BAILEY, Chairman.

Committee Room.

Austin, Texas, March 25, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Civil Jurisprudence, to whom was referred H. B. No. 111, A bill to be entitled "An Act to amend Article 3096 of the Revised Civil Statutes of Texas, adopted in 1911 so as to read or follows:

Article 3096, Ballot, primary, no symbol, etc., on except etc., ballot without test not counted, etc.,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

BAILEY, Chairman.

(Floor Report.)

Senate Chamber,

Austin, Texas, March 25, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on State Affairs, to whom was referred

H. B. No. 63, A bill to be entitled "An Act providing that all applications for registrations and license of motor vehicles, motorcycles, manufacturers, dealers and chaffeurs shall

hereafter be filed with the collector of taxes for the county of the residence of the applicant and that all license fees be paid to such tax collector; providing for compensation to tax collectors; and repealing Article 3898, Revised Statutes and amendments thereto; providing that the tax collector shall make weekly remittance to the State Highway Department one-half of the gross registration and transfer fees collected, the remaining one-half to be deposited in the county depository; providing that the tax collector shall forward to the State Highway Department a list certified to by him of all registrations of motor vehicles and chaffeurs and dealers and for registration thereof by the State Highway Department and the distribution of number plates and seals; providing for the deposit of funds coming into the hands of the State Highway Department in the State Treasury; creating a special fund known as the State Highway Fund, and providing for its distribution; making an appropriation of the State Highway Fund for the two years beginning June 22, 1917; providing this Act shall be cumulative of all highway laws except where in conflict herewith, and declaring an emergency,"

Have had the same under consideration and I am directed by the committee to report same back to the Senate with the recommendation that it do pass and be not printed.

Collins, Acting Chairman; Smith, Robbins, Strickland, Lattimore, Gibson, Westbrook.

(Floor Report.)

Senate Chamber,

Austin, Texas, March 25, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Agricultural Affairs, to whom was referred

H. B. No. 113, A bill to be entitled "An Act to authorize the commissioners court to purchase poisons and other accessories for the purpose of destroying prairie dogs, rats, coyotes, wolves, wild cats, gophers, ground squirrels, English sparrows and ravens; giving the commissioners court the authority to sell at cost or give such poisons to all persons residing in the county, to be used for such purpose and providing procedure for the distribution and use of



such poisons, and creating an emergency,"

Have had the same under consideration and beg leave to report the same back to the Senate with the recommendation that it do pass, and be not printed.

Gibson, Chairman; Buchanan of Scurry, Alderdice, Decherd, Floyd, Buchanan of Bell.

(Floor Report.)

Senate Chamber,  
Austin, Texas, March 25, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Finance, to whom was referred

S. B. No. 115, A bill to be entitled "An Act making appropriation of \$350,000.00 or so much thereof as may be necessary out of the general revenue or any other available funds for the purpose of providing for the pay, transportation, subsistence, and all other expenses of the military forces of the State when ordered on duty or when mobilized or when recruiting and organizing troops or when ordered on other military duties; providing for the pay, transportation and expense of officers on active duty or while serving on military courts or boards, etc., and declaring an emergency."

Have had same under consideration, and beg leave to report same back to the Senate with recommendation that it do pass and be not printed.

CALDWELL, Vice Chairman.

(Floor Report.)

Senate Chamber,  
Austin, Texas, March 25, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Educational Affairs to whom has been referred

H. B. No. 128, A bill to be entitled "An Act requiring teachers in the public schools to conduct school work in the English language exclusively, preventing the adoption of texts for elementary grades not printed in English, defining the grades in which a foreign language may be taught, and fixing penalties for violation of this Act,"

Have had the same under consideration and beg leave to report the

same back to the Senate with the recommendation that it do pass and be not printed.

BEE Chairman.

Committee Room.

Austin, Texas, March 25, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Finance to whom was referred

H. B. No. 99, A bill to be entitled "An Act making appropriations to pay miscellaneous claims against the State, authorizing the payment of said miscellaneous items on the taking effect of this Act, making additional appropriations for the support of the State government for the fiscal year ending August 31, 1918 and August 31, 1919 and declaring an emergency,"

Have had the same under consideration and beg leave to report the same back to the Senate with the recommendation that it do pass with the following amendments, and that it be not printed but be printed in the Journal only.

CALDWELL, Vice Chairman.

Committee Amendments.

Amend the bill by striking out the item \$44,119.99 for new boilers at the State Lunatic Asylum.

Amend the bill by striking out the items \$51,000.00 and \$30,000.00 for the purchase of dry goods and clothing at the State Lunatic Asylum.

Amend the bill by changing the item "for fuel, light, water and contingencies" under the head "Public Buildings and Grounds" for the fiscal year ending August 31, 1918 from \$4,000.00 to \$2,000.00.

Amend the bill by striking out of the same under the head "Public Buildings and Grounds" the items for increase of salaries of night watchman, salary of additional watchman for new Land Office, salary of engineer at new Land Office and to pay increase of salaries of seven cleaners in Capitol.

Amend the item to refund liquor dealers amounting to \$150,000.00 by striking out the words "or other contingency over which they have no control up to August 31, 1919," and insert in lieu thereof the following, "or other legal authority."

Amend by striking out the salary of the oculist for Confederate Home

disposed of, and declaring an emergency,"

Have had the same under consideration and I am instructed to report the same back to the Senate, with the recommendation that it do pass and be not printed.

BAILEY, Chairman.

Committee Room.

Austin, Texas, March 25, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 61, A bill to be entitled "An Act to amend Article 1028, Revised Civil Statutes of 1911, dealing with the fixing of rates for public utility corporations; providing the length of time such rates shall be effective and providing that such rates shall be reasonable ones; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate, with the recommendation that it do not pass.

BAILEY, Chairman.

Committee Room.

Austin, Texas, March 25, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 111, A bill to be entitled "An Act to amend Article 3096 of the Revised Civil Statutes of Texas, adopted in 1911 so as to read or follows:

Article 3096, Ballot, primary, no symbol, etc., on except etc., ballot without test not counted, etc.;"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

BAILEY, Chairman.

(Floor Report.)

Senate Chamber,

Austin, Texas, March 25, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on State Affairs, to whom was referred

H. B. No. 63, A bill to be entitled "An Act providing that all applications for registrations and license of motor vehicles, motorcycles, manufacturers, dealers and chauffeurs shall

hereafter be filed with the collector and taxes for the county of the residence of the applicant and that all license fees be paid to such tax collector; providing for compensation to tax collectors; and repealing Article 3898, Revised Statutes and amendments thereto; providing that the tax collector shall make weekly remittance to the State Highway Department one-half of the gross registration and transfer fees collected, the remaining one-half to be deposited in the county depository; providing that the tax collector shall forward to the State Highway Department a list certified to by him of all registrations of motor vehicles and chauffeurs and dealers and for registration thereof by the State Highway Department and the distribution of number plates and seals; providing for the deposit of funds coming into the hands of the State Highway Department in the State Treasury; creating a special fund known as the State Highway Fund, and providing for its distribution; making an appropriation of the State Highway Fund for the two years beginning June 22, 1917; providing this Act shall be cumulative of all highway laws except where in conflict herewith, and declaring an emergency,"

Have had the same under consideration and I am directed by the committee to report same back to the Senate with the recommendation that it do pass and be not printed.

Collins, Acting Chairman; Smith, Robbins, Strickland, Lattimore, Gibson, Westbrook.

(Floor Report.)

Senate Chamber,

Austin, Texas, March 25, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Agricultural Affairs, to whom was referred

H. B. No. 113, A bill to be entitled "An Act to authorize the commissioners court to purchase poisons and other accessories for the purpose of destroying prairie dogs, rats, coyotes, wolves, wild cats, gophers, ground squirrels, English sparrows and ravens; giving the commissioners court the authority to sell at cost or give such poisons to all persons residing in the county, to be used for such purpose and providing procedure for the distribution and use of

such poisons, and creating an emergency,"

Have had the same under consideration and beg leave to report the same back to the Senate with the recommendation that it do pass, and be not printed.

Gibson, Chairman; Buchanan of Scurry, Alderdice, Decherd, Floyd, Buchanan of Bell.

(Floor Report.)

Senate Chamber,  
Austin, Texas, March 25, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Finance, to whom was referred

S. B. No. 115, A bill to be entitled "An Act making appropriation of \$350,000.00 or so much thereof as may be necessary out of the general revenue or any other available funds for the purpose of providing for the pay, transportation, subsistence, and all other expenses of the military forces of the State when ordered on duty or when mobilized or when recruiting and organizing troops or when ordered on other military duties; providing for the pay, transportation and expense of officers on active duty or while serving on military courts or boards, etc., and declaring an emergency,"

Have had same under consideration, and beg leave to report same back to the Senate with recommendation that it do pass and be not printed.

CALDWELL, Vice Chairman.

(Floor Report.)

Senate Chamber,  
Austin, Texas, March 25, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Educational Affairs to whom has been referred

H. B. No. 128, A bill to be entitled "An Act requiring teachers in the public schools to conduct school work in the English language exclusively, preventing the adoption of texts for elementary grades not printed in English, defining the grades in which a foreign language may be taught, and fixing penalties for violation of this Act,"

Have had the same under consideration and beg leave to report the

same back to the Senate with the recommendation that it do pass and be not printed.

BEE Chairman.

Committee Room.

Austin, Texas, March 25, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Finance to whom was referred

H. B. No. 99, A bill to be entitled "An Act making appropriations to pay miscellaneous claims against the State, authorizing the payment of said miscellaneous items on the taking effect of this Act, making additional appropriations for the support of the State government for the fiscal year ending August 31, 1918 and August 31, 1919 and declaring an emergency,"

Have had the same under consideration and beg leave to report the same back to the Senate with the recommendation that it do pass with the following amendments, and that it be not printed but be printed in the Journal only.

CALDWELL, Vice Chairman.

Committee Amendments.

Amend the bill by striking out the item \$44,119.99 for new boilers at the State Lunatic Asylum.

Amend the bill by striking out the items \$51,000.00 and \$30,000.00 for the purchase of dry goods and clothing at the State Lunatic Asylum.

Amend the bill by changing the item "for fuel, light, water and contingencies" under the head "Public Buildings and Grounds" for the fiscal year ending August 31, 1918 from \$4,000.00 to \$2,000.00.

Amend the bill by striking out of the same under the head "Public Buildings and Grounds" the items for increase of salaries of night watchman, salary of additional watchman for new Land Office, salary of engineer at new Land Office and to pay increase of salaries of seven cleaners in Capitol.

Amend the item to refund liquor dealers amounting to \$150,000.00 by striking out the words "or other contingency over which they have no control up to August 31, 1919," and insert in lieu thereof the following; "or other legal authority."

Amend. by striking out the salary of the oculist for Confederate Home

for the year ending August 31, 1919, \$300.00.

Amend by striking out the item "To C. W. Carlisle, sheriff of Liberty County, etc., \$24.90."

Amend by striking out the item "To supplement the amount already appropriated to build and equip the State Quarantine Station at Sabine, Texas, \$18,000.00."

Amend by striking out the item "J. M. Hodge, Dallas, one month's work, August, \$55.00."

Amend by striking out the item "To build and equip an oil pipe line from the State Lunatic Asylum to the Blind Institute, \$2,400.00."

Amend by striking out the item "To pay salary of W. W. Dodd, etc., \$450.00."

Amend by striking out "For re-funding J. A. Brewer of Blossom, etc., \$108.00."

Amend the item "To cover deficiencies in the State Department of Instruction for the year ending August 31, 1918," so as to read "\$1,000.00" instead of "\$12,800.00."

Amend by striking out the item "To Texas Co., etc., \$38.14."

Amend by striking out the item "For the payment of transcripts in cases where the court is required, etc., \$650.00."

Amend by adding the following:

"To the Pekin Social Club of San Antonio, Texas, for amount paid for franchise tax for the year ending May 1, 1918, said amount having been erroneously paid, \$47.50."

Amend by adding the following:

"To pay salary of one State Oil Gauger to be appointed by the Commissioner of the General Land Office and whose duty it shall be to look after the State's interest in oil royalties and perform such other duties as may be required by the Land Commissioner or Governor or Attorney General for the fiscal year ending August 31, 1918, \$1,000.00, and for the fiscal year ending August 31, 1919, \$2,400.00."

Amend by adding the following:

"To replace cylinder head of engine at Epileptic Colony at Abilene, \$25.00."

Amend by adding the following:

"To pay necessary traveling expenses (railroad fare only) of the Live Stock Sanitary Commission, the Chairman thereof, each Commissioner, their inspectors or other employees to be immediately available

and to be expended during the two fiscal years ending August 31, 1919, said moneys to be drawn from the Treasury as other funds appropriated for the support of said Commissioner, \$10,000.00."

Amend by adding the following:

"For the payment of deficiencies incurred in the support of the Game, Fish and Oyster Department of the State of Texas, for the year ending August 31, 1917, \$800.00."

Amend by adding the following:

"For support and maintenance of a camp of instruction in Austin, during the summer of 1918, under General Luther Hare for the instruction of students of the University in the Officers Reserve Corps, \$20,000.00."

Amend by striking out the item under Deaf and Dumb and Blind Institute for Colored Youths, the followings items:

"For support and maintenance not otherwise provided for, \$3,500.00 the second year."

"For dry goods and clothing, \$2,000.00, the second year."

"For stationery, stamps, printing, \$50.00, the second year."

CALDWELL, Vice Chairman.

By Mendell.

H. B. No. 99.

A BILL

To be entitled

An Act making appropriations to pay miscellaneous claims against the State, authorizing the payment of said miscellaneous items on the taking effect of this Act, making additional appropriations for the support of the State Government, for the fiscal year ending August 31, 1918, and August 31, 1919, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That the following sums of money, or so much thereof as may be necessary, be, and the same are hereby appropriated out of any money in the Treasury not otherwise appropriated to pay miscellaneous claims against the State as herein enumerated; making additional appropriations for the support and maintenance of the State government for the years ending August 31, 1918, and August 31, 1919:



## Deaf and Dumb and Blind Institute (For Colored Youths).

	Year ending Aug. 31, 1918	Year ending Aug. 31, 1919
For support and maintenance not otherwise provided for .....		\$ 3,500.00
For dry-goods and clothing.....		2,000.00
For stationery, stamps, printing.....		50.00
To improve the heating facilities, for the year 1918 .....	\$ 1,000.00	.....

## For State Lunatic Asylum.

Estimated cost of installing new boilers:		
Three only, 302 h.p. Babcock & Willcox water-tube boilers....	\$27,000.00	
Brick chimney 72 inches by 110 feet high .....	8,000.00	
56,300 red brick .....	1,126.00	
22,000 fire brick .....	1,188.00	
5,000 pounds of fire clay.....	250.00	
Soot blowing equipment.....	1,000.00	
50 barrels lump lime.....	55.00	
Boiler breeching .....	1,500.00	
Steam heater welded .....	1,500.00	
Labor .....	2,500.00	\$ 44,119.00
Estimate needed on dry-goods and clothing to complete the year ending August 31, 1918...	51,000.00	
Additional appropriation for the year beginning September 1, 1918, and ending August 31, 1919 .....		\$ 30,000.00

## Public Buildings and Grounds.

For fuel, light, water and contingencies.....	\$ 4,000.00	
Additional appropriation for increase in salaries of four night watchmen.....	250.00	\$ 600.00
To pay salary of an additional watchman for new Land Office .....		720.00
To pay salary of engineer of new Land Office....	300.00	1,200.00
To pay increase in salaries of seven cleaners in Capitol .....	525.00	1,260.00

## Miscellaneous Items.

To refund to liquor dealers the proportionate amount of taxes heretofore paid by them for the unexpired term of their licenses as malt and liquor dealers under all sections and provisions of law authorizing refunds, and where such parties have been prevented from conducting their business under said license by reason of any city ordinance, State law (or other contingency over which they had no control, up to August 31, 1919), to be paid by the Comptroller on verified and approved accounts .....	\$150,000.00	
To pay salary of W. D. Howe, Special Judge Thirty-fourth Judicial Court, El Paso County.....		114.94
Salary of oculist for Confederate Home for the year ending August 31, 1919 .....		300.00
To pay to W. M. Seeligson for amount paid out for caring for, watering and preserving the trees, shrubbery and flowers on the Fannin battle ground during the months of June, July and August, 1917 .....		45.25
For the Court of Civil Appeals, Eighth District, for books and library for the year 1919.....		500.00

For clothing for the Confederate Home for the year ending August 31, 1918.....	\$2,000.00
To C. W. Carlisle, sheriff of Liberty County, in the case of the State of Texas vs. Archie Bass, No. 3792, in District Court of Victoria County, Texas .....	24.90
To supplement the amount already appropriated to build and equip the State Quarantine Station at Sabine, Texas.....	18,000.00
Appropriations made for the Epileptic Colony by the Thirty-fifth Legislature at its first called session for the purpose of rebuilding electrical line to the pump house for the sum of four thousand (\$4,000) dollars; and for a fire-fighting outfit and fire escapes for twenty-five hundred (\$2,500) dollars; and for one silo for seven hundred and fifty (\$750) dollars, be transferred to the item in said appropriation designated for the support and maintenance of the Epileptic Colony for the fiscal year ending August 1, 1918.....	7,250.00
J. M. Hodge, Dallas, one month's work, August.....	55.00
To build and equip an oil pipe line from the State Lunatic Asylum to the Blind Institute.....	2,400.00
To pay salary of W. W. Dodd, district attorney pro tem. Thirty-sixth Judicial District, for thirty days' service.....	450.00
For refunding to J. A. Brewer of Blossom, Texas, taxes erroneously collected for the year 1917.....	108.00
To cover deficiencies in the State Department of Public Instruction for the year ending August 31, 1918.....	12,800.00
To the Texas Company, in re. on Warrant No. 41,179, as per due bill No. 1454, issued by Comptroller, February 15, 1918	38.14
To cover the following deficiencies incurred in the support of the State government for the fiscal year ending August 31, 1917, contracted under the provisions of Title 15, Chapter 2, of the Revised Code of Criminal Procedure of 1911, as follows:	
Fees, costs and per diem for sheriffs, clerks, and attorneys for the fiscal year ending August 31, 1917.....	12,500.00
Fees of county judges, county attorneys, justices of the peace, sheriffs and constables .....	3,500.00
For the payment of transcripts in cases where the court is required to and does appoint an attorney to represent the defendant in a criminal action and where the official shorthand reporter is required to and does furnish the attorney for said defendant, if convicted, with a transcript of his notes, as provided for in Section 14, Chapter 119, page 264, of the General Laws of the State of Texas, passed by the Regular Session of the Thirty-second Legislature.....	650.00

Section 2. The appropriations herein provided for are to be construed as the maximum sums to be appropriated to and for the several purposes herein, and no expenditures shall be made, nor shall any obligations be incurred, which, added to the actual expenditures, will exceed the amounts herein appropriated for either of the said purposes.

Section 3. The near approach of the end of the present session, together with the important work depending upon these appropriations, creates an emergency and an imperative public necessity requiring that the constitutional rule requiring bills to be read on three several days be

suspended, and the same is suspended, and that this Act take effect from and after its passage, and it is so enacted.

#### Enrolling Committee Reports.

Committee Room,  
Austin, Texas, March 25, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 89, copy of which is hereto attached and find it correctly enrolled, and have this day at 11:45 o'clock a. m. presented

same to the Governor for his approval.

SMITH, Chairman.

S. B. No. 89.

By Dean.

An Act to amend Article 698 of the Revised Civil Statutes of Texas, 1911, so as to authorize the investment of the sinking funds of counties, cities, towns, school districts or school communities in United States bonds, war savings certificates, certificates of indebtedness issued by the United States Government and in State, city or town bonds, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 698 of the Revised Civil Statutes of Texas, 1911, be so amended that said article shall hereafter read as follows:

"Article 698. Sinking fund of county, city, town, school district or school community to be invested in United States, State, city or town bonds, provided, etc.—The commissioners court of any county, the city council of any incorporated city or town, and the board of trustees of any independent school district, or any other school district or school community, in the State of Texas, are authorized and empowered, whenever they may deem it advisable, to invest any sinking fund or sinking funds now on hand or hereafter acquired for the redemption and payment of any outstanding bonds of such county, city or town, or independent school district, or any other school district or school community, in bonds of the United States, war savings certificates and certificates of indebtedness, issued by the Secretary of the Treasury of the United States and in bonds of the State of Texas, of any county of the State of Texas, or of any incorporated city or town; provided, that no such bonds shall be purchased, which, according to their terms, mature at a date subsequent to the time of maturity of the bonds for the payment of which such sinking fund was created; and provided, further that in the event any commissioners court, city council or board of trustees is unable to purchase any securities of the character above mentioned, which mature at a date prior to the time of maturity of the bonds for the payment of which such sinking fund was

created, then they are authorized, in their discretion, to invest such funds in the bonds of any independent school district, or of any other school district or school community authorized to issue bonds, under the same restrictions as herein mentioned."

Section 2. The fact that there are at present large sums of money belonging to the sinking funds of the various counties, cities, towns, school districts and school communities in this State for which no investment can be found in the securities in which said bonds may now be invested under the law, and the further fact that war savings certificates and other certificates of indebtedness which may from time to time be issued by the Secretary of the Treasury of the United States government will afford safe investments for such sinking funds, and the further fact that this special session of the Legislature will soon expire, by operation of law, creates an emergency and imperative public necessity, requiring the suspension of the constitutional rule that bills be read on three several days, and that this bill take effect from and after its passage, and it is so enacted.

Committee Room,

Austin, Texas, March 25, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 48 copy of which is hereto attached and find it correctly enrolled, and have this day at 11:45 o'clock a. m. presented same to the Governor for his approval.

SMITH, Chairman.

S. B. No. 48.

By Dean, Lattimore, Henderson, Bee.

An Act declaring syphilis, gonorrhea and chancroid and hereinafter designated as venereal diseases, to be contagious, infectious, communicable, and dangerous to the public health; providing for and requiring reports to be made by physicians and others in all cases of such diseases; requiring patients affected with venereal diseases to give information thereof; requiring city, county and local health officers to ascertain the existence of such diseases and the sources of infection; providing for the protection of others from infection

from such diseases; providing the condition under which the name of the patient is required to be reported; requiring druggists to keep a record of sales of drugs for venereal diseases; prohibiting any person from knowingly exposing another to infection from venereal diseases; providing for the giving of certificates of freedom from such diseases; providing that the records and all information concerning the persons infected with such diseases shall be kept secret from the public; providing for penalty for violations of this act; investing the State, county and local health officers with all authority now provided for the enforcement of quarantine regulations, to enforce the provisions of this act, making appropriations for carrying into effect the provisions of this act, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. Syphilis, gonorrhea and chancroid, hereinafter designated venereal diseases, are hereby declared to be contagious, infectious, communicable, and dangerous to the public health.

Sec. 2. Any physician or other person who makes a diagnosis in, or treats, a case of syphilis, gonorrhea or chancroid, and every superintendent or manager of a hospital, dispensary, or charitable or penal institution, in which there is a case of venereal disease, shall report such case immediately, in writing to the local health officer, stating the name and address or the office number, age, sex, color, and occupation of the diseased person, and the date of the onset of the disease, and the probable source of infection, provided that the name and address of the diseased person need not be stated, except as hereinafter specifically required in Section 6, and provided, further, that all information and reports concerning persons having venereal disease shall be held secret in accordance with provisions in Section 11. The report shall be enclosed in a sealed envelope and sent to the local health officer, who shall report weekly on the prescribed form to the State Board of Health, all cases reported to him. The physicians and others residing in cities having no city health officer, shall make reports required in this section of this act di-

rect to the county health officer, where there is a county health officer in the county in which they reside, and where there is no county health officer, all such reports shall be made direct to the State Board of Health.

Sec. 3. It shall be the duty of every physician and of every other person who examines or treats a person having syphilis, gonorrhea or chancroid, to instruct him in measures for preventing the spread of such disease, and of the necessity for treatment until cured, and to hand him a copy of the circular of information obtainable for this purpose from the State Board of Health.

Sec. 4. All city, county or other health officers shall use every available means to ascertain the existence of, and to investigate all cases of, syphilis, gonorrhea, and chancroid within their several territorial jurisdictions, and to ascertain the sources of such infections. Local health officers are hereby empowered and directed to make such examinations of persons reasonably suspected of having syphilis, gonorrhea or chancroid as may be necessary for carrying out the provisions of this Act. Owing to the prevalence of such diseases among prostitutes and persons associated with them, all such persons are to be considered within the above class.

Sec. 5. Upon receipt of a report of a case of venereal disease it shall be the duty of the local health officer to institute measures for protection of other persons from infection by such venereally diseased person.

(a) Local health officers are authorized and directed to quarantine persons who have, or are reasonably suspected of having syphilis, gonorrhea, or chancroid, whenever, in the opinion of said local officer, or the State Board of Health, or its executive officer, quarantine is necessary for the protection of the public health. In establishing quarantine the local health officer shall designate and define the limits of the area in which the person known to have, or reasonably suspected of having syphilis, gonorrhea, or chancroid and his immediate attendant, are to be quarantined and no person, other than the attending physician, shall enter or leave the area of quarantine without the permission of the local health officer.

No one but the local health officer



shall terminate said quarantine, and this shall not be done until the quarantined person has become non-infectious, as determined by the local health officer or his authorized deputy through clinical examination and all necessary laboratory tests, or until permission has been given him to do so by the State Board of Health or its executive officer.

(b) The local health officer shall inform all persons who are about to be released from quarantine for venereal diseases, in case they are not cured, what further treatment should be taken to complete their cure. Any person not cured, before released from quarantine, shall be required to sign the following statement after the blank spaces have been filed to the satisfaction of the health officer.

I..... residing at..... hereby acknowledge the fact that I am at this time infected with....., and agree to place myself under the medical care of..... (Name of physician or clinic; address.....) within .....hours, and that I will remain under treatment of said physician or clinic until released by the health officer of..... or until my case is transferred, with the approval of said health officer, to another regularly licensed physician or an approved clinic.

I hereby agree to report to the health officer within four days after beginning treatment as above agreed, and will bring with me a statement from the above physician or clinic of the medical treatment applied in my case, and thereafter will report as often as may be demanded of me by the health officer.

I agree further, that I will take all precautions recommended by the health officer to prevent the spread of the above disease to other persons and that I will not perform any act which will expose other persons to the above disease.

I agree, until finally released by the health officer to notify him of any change of address and to obtain his consent before moving my abode outside of his jurisdiction.

.....  
Signature.

.....  
Date.

All persons signing the above agreement shall observe its provisions, and any failure to do so shall be a violation of the Act. All such

agreements shall be filed with the health officer, and kept inaccessible to the public as provided in Section 11.

The commissioners court of the various counties in this State, and the city councils, or other boards of the incorporated towns and cities of the State, are hereby empowered and directed to provide suitable places for the detention of persons who may be subject to quarantine and who should be segregated for the execution of the provisions of this Act; and such commissioners courts, city councils and other governing boards of incorporated cities and towns are hereby authorized to incur, on behalf of their said counties, cities or towns, the expenses necessary to the enforcement of this Act.

Sec. 6a. When a person applies to a physician or other person for the diagnosis or treatment of syphilis, gonorrhea or chancroid, it shall be the duty of the physician or person so consulted to inquire of, and ascertain from, the person seeking such diagnosis or treatment, whether such person has heretofore consulted with, or has been treated by, any other physician or person, and if so, to ascertain the name and address of the physician or person last consulted. It shall be the duty of the applicant for diagnosis or treatment to furnish this information, and a refusal to do so, or a classification of the name and address of such physician or person consulted by such applicant shall be deemed a violation of this Act. It shall be the duty of the physician or other person whom the applicant consults to notify the physician or other person last consulted of the change of advisers. Should the physician or person previously consulted fail to receive such notice within ten days after the last date upon which the patient was instructed by him to appear, it shall be the duty of such physician or person to report to the local health officer the name and address of such venereally diseased person.

(b) If an attending physician or other person knows or has good reasons to suspect that a person having syphilis, gonorrhea, or chancroid is so conducting himself or herself as to expose other persons to infection, or is about so to conduct himself or herself, he shall notify the local health officer of the name and ad-

dress of the diseased person and the essential facts in the case.

Sec. 7. Any druggist or other person who sells any drug, compound, specific or preparation of any kind used for or believed by the druggist or person to be intended to be used for the treatment of any said venereal diseases, shall keep a record of the name and address of the person making such purchase. A copy of said record shall be mailed each week to the local health officer and by him to the State Board of Health.

Sec. 8. It shall be a violation of this statute for any infected person knowingly to expose another person to infection with any of the said venereal diseases, or for any person to perform an act which exposes another person to infection with venereal disease.

Sec. 9. Prostitution is hereby declared to be a prolific source of syphilis, gonorrhea and chancroid, and the repression of prostitution is declared to be a public health measure. All local and State health officers are therefore directed to co-operate with proper officials whose duty it is to enforce laws directed against prostitution, and otherwise to use every proper means for the repression of prostitution.

Sec. 10. Physicians, health officers, and all other persons are prohibited from issuing certificates of freedom from venereal diseases, provided this section shall not prevent the issuance of statements of freedom from infectious diseases written in such form, or given under such safeguards, that their use for solicitation for sexual intercourse would be impossible.

Sec. 11. All information and reports concerning persons infected with venereal diseases shall be inaccessible to the public except in so far as publicity may attend the performance of the duties imposed by this statute and by laws of the State.

Sec. 12. Any local health officer, employe, inspector, physician, nurse, superintendent of clinic or hospital, druggist or other person who fails to perform the duties required of him in this Act, or violates any of the provisions of the Act, shall be deemed guilty of a misdemeanor and upon conviction therefor shall be fined in any sum not less than five nor more than fifty dollars, and each violation shall be a separate offense. Any

health officer or other physician who shall willfully fail to perform the duties required of him in this Act shall, in addition to the penalties imposed by this section, forfeit his right and license to practice medicine within this State; and the district courts of the State shall have jurisdiction of suits for the forfeiture of such licenses in such cases, and the suit may be filed by any citizen of the State, in the court having jurisdiction, under the ordinary rules of venue, and it shall be the duty of the county and district attorneys to represent the petitioners in such suit.

Sec. 13. In addition to the remedies provided herein for the enforcement of the provisions of this Act, the State Health Department and all county and local health departments are hereby authorized and empowered to employ all measures provided by existing laws for ascertaining, handling, segregating and controlling contagious or infectious diseases.

Sec. 13a. For the purpose of carrying into effect the provisions of this Act, there is hereby appropriated to the State Health Department, out of moneys in the State Treasury, not otherwise appropriated, the following sums, to wit: for the fiscal year ending August 31, 1918, the sum of fifteen thousand (\$15,000) dollars; for the fiscal year ending August 31, 1919, the sum of thirty thousand (\$30,000) dollars.

Sec. 14. The fact that this is a special session of the Legislature and that the evils from the existence of venereal diseases are wide-spread and alarming and such as to require immediate remedy and correction creates an emergency and imperative public necessity, requiring the suspension of the constitutional rule that bills be read on three several days, and that this bill take effect from and after its passage, and it is so enacted.

Committee Room,

Austin, Texas, March 25, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 99, copy of which is hereto attached and find it correctly enrolled, and have this day at 11:45 o'clock a. m. presented same to the Governor for his approval.

SMITH, Chairman.

By Buchanan of Bell. S. B. No. 99.

An Act making an emergency appropriation for the support and maintenance of the State Training School for Juveniles, located at Gatesville, Texas, for the current fiscal year ending August 31, 1918, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That there be and is hereby appropriated for the support and maintenance of the State Training School for Juveniles, located at Gatesville, Texas, for the current fiscal year ending August 31, 1918, the sum of thirty thousand (\$30,000.00) dollars, out of any funds in the State Treasury not otherwise appropriated.

Section 2. The fact that the training school for juveniles located at Gatesville, Texas, has a large attendance and is without sufficient funds for the support and maintenance of said school during the current fiscal year, creates an emergency and imperative public necessity that the constitutional rule requiring bills to be read three several days be suspended and such rule is hereby suspended, and this Act take effect and be in force from and after its passage and it is so enacted.

Committee Room,  
Austin, Texas, March 25, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 49, copy of which is hereto attached and find it correctly enrolled, and have this day at 11:45 o'clock a. m. presented same to the Governor for his approval.

SMITH, Chairman.

By Dean, Lattimore, S. B. No. 49.  
Henderson and Bee.

An Act to amend Chapter 2 of Title 66, of the Revised Civil Statutes of the State of Texas, 1911, relating to Public Health and Sanitary Code of Texas, by adding thereto Article 4553aa, prohibiting advertisement concerning certain diseases and afflictions, providing a penalty for the violation thereof, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Chapter 2, of Title 66, Revised Civil Statutes of the State of Texas, 1911, be and the same is hereby amended by adding thereto Article 4553aa, as follows:

Section 2. Article 4553aa. Any person who shall publish, deliver or distribute, or cause to be published, delivered or distributed in any manner whatsoever or who shall permit placards or posters to be or remain on buildings or outhouses or premises controlled by him containing an advertisement concerning a venereal disease, lost manhood, lost vitality, impotency, sexual weakness, seminal emissions, varicocele, self-abuse or excessive sexual indulgence and calling attention to a medicine, article or preparation that may be used therefor or to a person or persons from whom, or an office or phone at which information, treatment or condition may be obtained, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than two hundred dollars. The provisions of this Article, however, shall not apply to didactic or scientific treatises which do not advertise or call attention to any person or persons from whom, or any office or place at which information, treatment or advice may be obtained, nor shall it apply to advertisements or notices issued by a municipal or county board or department of health, or by the Department of Health of the State of Texas.

Section 3. The fact that there is now no adequate law on the statutes of this State prohibiting advertisement concerning certain diseases and afflictions creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended and that this Act take effect and be in force from and after its passage, and it is so enacted.

Committee Room,  
Austin, Texas, March 25, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 63, copy of which is hereto attached and find it correctly enrolled, and have this day at 11:45 o'clock a. m. presented

same to the Governor for his approval.

SMITH, Chairman.

By Lattimore.

S. B. No. 63.

An Act to amend Chapter 6, Title 15 of the Penal Code of 1911, by adding thereto Article 1055a, making it a penal offense for any person to cause, encourage or contribute to the delinquency of any minor under age of 17 years, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Chapter 6, Title 15 of the Penal Code of 1911, adopted by the Legislature in 1911 as the Penal Code of the State of Texas, be and the same is hereby amended by adding thereto Article 1055a to read as follows:

Article 1055a. Causing, etc., delinquency of minor.—If any person shall in any manner cause, encourage or contribute to the delinquency of any minor who is under the age of seventeen years, he shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine in any sum not exceeding five hundred dollars, or by imprisonment in the county jail not exceeding one year, or by both such fine and imprisonment. By the term "delinquency" as used in this Article is meant the using of tobacco in any form, the drinking of intoxicating liquor, the taking of such minor into a house or place where prostitutes or lewd women are permitted to resort or reside, or knowingly permitting any such minor to remain in any such house or at any such place, the forming of the habit of using harmful or injurious drug, or any act which tends to debase or injure the morals, health or welfare of such minor. In all prosecutions under this clause of the statute, the general reputation of the women who resort or reside or who may be found at any such place for chastity, may be admitted in evidence.

Section 2. The fact that Article 1055 of the Penal Code of 1911 only applies to a class of persons and not to every person, and only protects a child already unfortunate, and the protection of the children of this State from those persons who would corrupt, debauch, or debase them, creates an emergency and imperative

public necessity authorizing the suspension of the constitutional rule requiring bills to be read on three several days in each house, be and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Committee Room,

Austin, Texas, March 25, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 60, copy of which is hereto attached and find it correctly enrolled, and have this day at 4:15 o'clock p. m. presented same to the Governor for his approval.

SMITH, Chairman.

By Johnson of Hall.

S. B. No. 60.

An Act to amend Article 1063, Title 15, Chapter 8, of the Revised Penal Code of the State of Texas, 1911, defining rape and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 1063, Title 15, Chapter 8, Revised Penal Code of the State of Texas, 1911, be so amended as to hereafter read as follows:

Article 1063: (633) (528)  
"Rape" defined.—Rape is the carnal knowledge of a woman without her consent, obtained by force, threats or fraud, or the carnal knowledge of a woman other than the wife of the person having such carnal knowledge with or without consent, and with or without the use of force, threats or fraud, such woman being so mentally diseased at the time as to have no will to oppose the act of carnal knowledge, the person having carnal knowledge of her knowing her to be so mentally diseased; or the carnal knowledge of a female under the age of eighteen years, other than the wife of the person, with or without her consent, and with or without the use of force, threats or fraud. Provided, that if the woman is fifteen years of age or over, the defendant may show in consent cases, she was not of previous chaste character as a defense.

Section 2. The fact that the present law defining rape does not fur-



nish adequate protection to the young girls of this State creates an emergency and an imperative public necessity requiring the suspension of the constitutional rule requiring bills to be read on three several days in each house, and said rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Committee Room,  
Austin, Texas, March 25, 1918.

Hon. E. A. Decherd, President Pro Tem. of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate Bill No. 85, copy of which is hereto attached and find it correctly enrolled, and have this day at 4:15 o'clock p. m., presented same to the Governor for his approval.

SMITH, Chairman.

By Suiter and  
Smith.

S. B. No. 85.

An Act to amend Article 6552, Title 155, Chapter 10, of the Revised Civil Statutes of 1911, providing that trains shall be regulated and notice shall be given of the time of trains, their places of stopping for freight and passengers; providing further that no railroad company, manager or receiver shall cease to operate trains on any railroad and if they have so ceased to operate shall resume operation; providing further that the Railroad Commission of State of Texas shall enforce the regulations hereof, and shall report to the Attorney General violations hereof, who shall file suit to enforce the same, and that this Act shall be cumulative of all laws now in effect on this subject, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 6552, Title 155, Chapter 10 of the Revised Civil Statutes of 1911, be amended so as to hereafter read as follows:

Article 6552. Every such corporation shall start and run their cars for the transportation of passengers and property at regular times to be fixed by public notice, and shall furnish sufficient accommodation for the transportation of all such passengers and property, as shall, within

a reasonable time previous thereto, offer or be offered for transportation at the place of starting and at junctions of other roads and at siding and stopping places established for or receiving and discharging way passengers and freight, and shall take, transport and discharge such passengers and property at, from and to such places, on the due payments of the tolls, freight or fare legally authorized therefor. Failure on the part of railroad companies to comply with the requirements of this Article shall be deemed an abuse of their rights and privileges and such abuse shall at once be corrected and regulated by the Railroad Commission. Provided further that no railroad corporation nor any manager or receiver of any railroad shall ever abandon operation of its trains over said railroad, or any part thereof, and in case any railroad corporation, manager or receiver has now or may hereafter abandon operation of its trains over said railroad, or part thereof, the Railroad Commission of Texas shall at once issue its order directing said railroad corporation, manager or receiver to at once resume operation of its trains over said road, or part thereof, in accordance with the orders, rules, and regulations of the Railroad Commission.

Provided further that if any railroad corporation, manager or receiver shall attempt to abandon any railroad or part thereof, by failing to operate its trains or to resume operation of its trains over its said road or part thereof, if the operation of trains has been abandoned, the Railroad Commission shall report the same to the Attorney General of the State of Texas, who shall at once file suit in behalf of the State against said railroad corporation, manager or receiver in any district court of any county through which said railroad may pass, or of Travis County, for the purpose of determining whether or not said railroad corporation, manager or receiver has failed or refused to carry out the purpose of this Article, and if it shall be determined by the court that said corporation, manager or receiver has so failed or refused, said court shall appoint a receiver for the purpose of operating said railroad and carrying out the purposes of this Article, and the said receiver shall

have no connection, directly or indirectly, with said railroad corporation, manager or receiver prior to the time of his appointment, but who shall be a good business man well qualified to perform the duties of said receiver.

Provided further that said receiver shall collect freight and passenger rates as prescribed by the Railroad Commission and shall do and perform any and all things necessary in the operation of said trains over said road and shall report to the said court at such times as may be prescribed by the decree of the court all of his acts as such receiver.

Section 2. This Act shall be considered cumulative of all laws of the State of Texas now in force on this subject when not in conflict herewith, but when in conflict herewith, this Act shall control; provided further that the provisions of this Act shall not apply to railroads to which the right of eminent domain is not granted under the laws of this State.

Section 3. The fact that there is now no sufficient law regulating the movement of cars for transportation of passengers and freight on railroads of this State, and for the purpose of continuing operation of said railroads, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended and the same is hereby suspended and this Act shall take effect and be in force from and after its passage and it is so enacted.

#### TWENTY-FOURTH DAY.

Senate Chamber,  
Austin, Texas,  
Tuesday, March 26, 1918.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by President Pro Tem. Decherd.

The roll was called, a quorum being present, the following Senators answering to their names:

Alderdice.	Dean.
Bailey.	Decherd.
Bee.	Faust.
Buchanan of Bell.	Floyd.
Buchanan of Scurry.	Gibson.
Caldwell.	Hall.
Clark.	Henderson.
Collins.	Hopkins.

Johnson of Hall.	Robbins.
Johnston of Harris.	Smith.
Lattimore.	Strickland.
McNealus.	Suiter.
Page.	Westbrook.
Parr.	Woodward.

Absent—Excused.

Dayton.	McCollum.
Hudspeth.	

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Alderdice.

#### Petitions and Memorials.

See Appendix.

#### Committee Reports.

See Appendix.

#### Simple Resolution No. 56.

Whereas, We are convinced that the Confederate Woman's Home, under the administration of Miss Katie Daffan, furnishes a sanitary, comfortable and pleasant home for such of the surviving wives and widows of our noble Confederate soldiers as are admitted into this institution, and

Whereas, We believe that the attention of the people of the State should be directed in a public way to the interest that is being taken in caring for these wives and widows of our Confederate soldiers; therefore, be it

Resolved, by the Senate of Texas, That we especially commend the Confederate Woman's Home to the people of Texas, and in this connection we are pleased to call particular attention to the sustained and kindly interest its superintendent, Miss Daffan, always takes in maintaining that character of institution, which meets every demand and every reasonable expectation of those responsible for its establishment.

Gibson, Page, Clark, Johnson of Hall Henderson, Floyd, McNealus, Dean, Buchanan of Bell, Buchanan of Scurry, Smith, Hall, Johnston of Harris, Hopkins, Alderdice, Faust, Robbins, Bee, Parr.